



J. Kneller pinx.

A. Müller sculp.

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THE
CONTINUATION
OF
Mr RAPIN'S
HISTORY
OF
ENGLAND;

From the REVOLUTION to the
Present Times.

By N. TINDAL, M. A.

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ILLUSTRATED WITH
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and MONUMENTS of the KINGS.

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T H E

H I S T O R Y

O F

E N G L A N D.

BOOK XXX. PART I.

From the Year 1712. to the Death of Queen Anne.

C H A P. I.

Great firmness of the Dutch.—Admission of King Philip's ministers to the congress refused.—Bolingbroke sent to France.—Suspension of arms proclaimed at Paris.—Stop put to the proceedings at Utrecht.—The French insist on the restitution of Tournay.—Endeavours to bring the duke of Savoy into the Queen's measures.—Which are refused by the Elector of Hanover.—Misunderstanding at court.—King Philip renounces the crown of France.—The Spaniards invade Portugal.—Forces in Spain called home.—Conference between the duke of Ormond and a Dutch deputy.—Duke Hamilton and lord Mohun killed in a duel.—Death and character of the earl of Godolphin.—The duke of Marlborough retires beyond sea.—A new plan of peace proposed to the States, who consent to it.—Death and character of the King of Prussia.—The French try to elude their engagements with Great-Britain.—Affairs of the North.—The British plenipotentiaries scruple to sign a separate peace.—The treaty brought into England.—The Queen's speech upon it.—Peace proclaimed.—Substance of the treaties of peace.—Clamours against it.—Proceedings of the parliament about it.—A demand of money for the civil list granted.—Addresses for the removal of the Pretender.—And in favour of lineal succession.—The parliament prorogued.—

THE HISTORY

Remarks on the Queen's Speech.—Death of bishop Sprat.—Duke d' Aumont's embassy.—Letters in favour of the Pretender.—A dangerous mistake rectified in regard to the regency-bill.—Affairs of Ireland.—Account of the book called Hereditary right.—The crisis published.—The Queen's illness.—Run upon the bank.

29. ANNE.

Great firmness of the Dutch.

Conduct of the duke of Ormond.

Report of the Com. of Sec.

* Kane's memoirs.

THE losses in the Netherlands created a great distraction in the counsels at the Hague, and it was expected by the courts of Great-Britain and France, that the turn of affairs in the field, after the misfortune at Denain, would occasion an alteration in the negotiation at Utrecht; and that the Dutch would at last agree to a suspension of arms, for which the British ministers made very pressing instances. The Marquis de Torcy would have persuaded the British court to force the States to come into their measures. In a letter to Mr St John upon the news of the earl of Albemarle's defeat at Denain, he took notice of the advantage which the Queen had at this time over the Dutch, and insinuated, 'That she might give the law to those people, provided she made the right use of Ghent and Bruges, which the duke of Ormond was in possession of.' Marshal Villars also at the same time sent a letter to the duke of Ormond, about the action at Denain, wherein he ascribes the victory to the separation of the brave English, and insults the allies as common enemies, who must be now sensible what wrong measures they had taken. He likewise desires the duke to transmit this account to the plenipotentiaries at Utrecht, and to make a thousand compliments from him to lord Strafford. This letter the duke of Ormond caused to be made known to his army, several copies of it being handed about, which indeed ought rather to have been burnt*; for it made those, who wished well to the allies, believe, he had not acted fairly by them (a). The Dutch, though

(a) And, that there might be no part of the world, where it was in the power of the English Ministry to assist their new friends at the expence of their old allies,

Torcy further proposed, 'That the Queen should put a stop to count Staremberg's projects in Catalonia, by sending orders to her troops in Terragona not to let

1712.

though the earl of Strafford continued to press them, and that with great imperiousness, to agree to a cessation of arms, shewed on this occasion a remarkable firmness. The states of Holland and West-Friseland, having agreed to take upon them the paying most of the auxiliaries lately in British pay, and resolved to treat of peace, sword in hand, the States General ordered their plenipotentiaries at Utrecht to insist upon several points, as further preliminaries of the treaty, particularly the restoring of Strasburgh to the Empire, and the demolition of all the fortified places possessed by France on the Rhine. The payment and subsistence of the German and Danish troops in the service of Great-Britain, who had joined the forces under prince Eugene, being the most pressing affair, several conferences were held about it between the ministers of the Princes, to whom those troops belonged, the deputies of the States, and the imperial ministers. These last were not wanting to represent the great difficulties, which their master had laboured under since the death of the late Emperor, his brother; and the vast charge he had been indispensably obliged to be at by his coronation at Francfort and Presburg, and other growing expences, for the preservation of the principality of Catalonia, whereby the imperial treasury was quite exhausted. That, however, his Imperial Majesty offered to contribute three hundred thousand crowns towards the subsistence of the auxiliary troops, provided the city of Amsterdam would advance that sum under the security of the States, for the payment of which he was willing to mortgage the funds in Silesia, which had punctually answered both the principal and interest of the loan made some years before by the English. But, though no positive answer was then returned to the imperial ministers, yet some months after their proposal was closed with. The King of Prussia offered to maintain his troops at his own charge, provided the States would give him satisfaction as to his pretensions to the inheritance of the late King William; and the elector of Hanover offered, in the first place, to maintain during the war, at his own expence, one half of the troops

‘ let the Germans into that
‘ place; and, not content with
‘ this, he further desired, that
‘ express orders might be sent
‘ (and through France, as the
‘ shortest way) to the English
‘ men of war, that were then

‘ cruising in the Mediterranean,
‘ to suffer the French ships, that
‘ were then returning from the
‘ Levant, to pass unmolested,
‘ which was immediately com-
‘ plied with,’

1712. he had in the service of Great-Britain, besides the regiment of dragoons of Bothmar, and to agree for the maintaining of the rest upon easy terms. The King of Denmark took no less vigorous resolutions than any of the Princes of the Empire, it being his interest not to disoblige the Emperor and his allies, at a juncture, when he and the Czar of Muscovy were threatened with a powerful confederacy of France, Spain, Great-Britain, and Sweden, in order to restore the King of Sweden to all his dominions.

Admission
of King
Philip's mi-
nisters to
the congress
refused.

Bolingbroke
sent to
France.
Report of
the Com. of
Sec.

On the other hand, the British ministers in Holland proposed and insisted on the admission of King Philip's plenipotentiaries to the congress at Utrecht; and it was given out, that, if this was not shortly agreed to, the congress would be transferred to a town, where the Spanish ministers might repair without any opposition; and Dunkirk was said to be the place. But, the States not thinking it their interest to disoblige the Emperor so far, as to yield a point so derogatory to his title to the Spanish throne, the court of Great-Britain resolved to pursue other measures, to bring the Dutch to compliance; or, if that failed, to conclude the peace upon the scheme near agreed on with France and Spain. To this end, it was judged necessary to renew the suspension of arms, now expiring; and, the lord Bolingbroke having had the chief management of the present negotiation, he was pitched upon to go incognito to the court of France, 'to remove, as his instructions expressed it, all difficulties and differences, that might obstruct the general suspension of arms between England and France from taking place, or settling the treaty of peace in such a course, as may bring it to a happy and speedy conclusion. But to declare, that he does not imagine there will be any possibility to prevail with the Queen to sign the peace with France and Spain, unless full satisfaction be given to the duke of Savoy, and unless they can take him along with them in the doing thereof. He is therefore to take particular care to settle his barrier, and to procure Sicily for him; to settle the renunciation in such a manner, that there may be as little room left as possible for dispute or delay: That the elector of Bavaria may have Sardinia, and be restored to his dominions in the Empire, except the Upper Palatinate, and the first electorate (b); and, when he has had satisfaction in these

(b) It seems the French had demanded Sicily also for the elector of Bavaria, as appears from the following particulars:
The

‘ these points, he is to proceed to speak to such articles, as 1712.
 ‘ relate particularly to the interest of Great-Britain, and en-
 ‘ deavour to have such of them, as there may appear to be
 ‘ any doubt concerning, explained in the most advantage-
 ‘ ous

The constant compliances in the English ministry encouraged monsieur de Torcy to believe, that they would now stick at nothing, that could be proposed. He pressed, on the 18th of July, the concluding the separate peace between England and France, as what they both agreed in to be the most effectual way to make the rest of the allies comply. He desires, that the troops in Flanders, under the command of the duke of Ormond, may be left there to make a good use of the towns, which he was in possession of; but as the King of France could not consent to the duke of Savoy's having Sicily, except the elector of Bavaria had also the Netherlands besides his electorate, he thinks the Queen's having a good army in Flanders, under the duke of Ormond, may render this very practicable; and, as the Queen has done a great deal for her own ungrateful allies, it will be for her glory now to contribute to the good of a Prince of so much merit as the elector of Bavaria, whose acknowledgments will be equal to the benefits he shall receive. But this would not pass, even with the ministry of Great Britain. The giving Flanders to the elector of Bavaria was not only contrary to all the propositions of peace, that had been made between England and France, but was what would absolutely engage England in a

new war, to oblige the Imperialists and Dutch to agree to it: And they could not think it for the honour or interest of the Queen, to make war upon her allies, as ungrateful as they had been, in favour of the elector of Bavaria; and especially, considering, that, although Ghent and Bruges were for him, the allies had yet an army in Flanders so considerable, both for the number and goodness of their troops, that they were able to defend the conquests they had made. And to give him Sicily, which was likewise demanded, lord Bolingbroke hoped, that it would not be insisted on; ‘ because it might be the ‘ occasion of continual jealous-
 ‘ lies; it might, in particular, ‘ be the source of disputes and ‘ quarrels betwixt England and ‘ France, whose strict union ‘ and indissoluble friendship ‘ were the points in view, to ‘ which all our measures had ‘ been directed for so long a ‘ time. The Queen's ministers think, that, when the King of France has made all reasonable efforts for his allies, he must do something for the love of peace. and that a particular interest should yield to the general.
 ‘ You cannot, says lord Boling-
 ‘ broke, but feel the force of ‘ this argument, because you are ‘ not at all ignorant, that this ‘ negotiation was begun and ‘ carried on upon a supposition, ‘ that the Queen must desist
 ‘ from

1712. 'ous manner. And then he is to do his best to discover upon the several parts of the general plan of peace, what the real ultimatum of France may be; and, when the peace between England and France shall be signed, that it may be expedient to fix the allies a time to come in, wherein the Queen will use her good offices, but will not be under any obligation to impose upon the allies the scheme offered by France, or to debar them from obtaining better terms for themselves.' By these instructions it appears, that lord Bolingbroke was impowered to conclude a separate peace with England, France, Spain, and Savoy: That at this time there was some doubt concerning several articles relating to the particular interests of Great-Britain, which he was to endeavour to get explained; but no instruction, if his endeavours prove ineffectual in behalf of Great-Britain, not to conclude the treaty, which in these very instructions is expressly provided for in favour of Savoy; and he is ordered to do his best to discover the ultimatum of France, which hitherto, it seems, the ministry were ignorant of; but, whether France condescended so far or not, as to let him into this secret, the treaty was concluded; and the ministry seemed to think, they had sufficiently discharged their duty, in declining to be engaged to impose what terms France should think proper upon the allies, those allies, to whom the Queen was bound by the faith of treaties, and all the most solemn engagements and publick declarations, to procure all just and reasonable satisfaction, according to their several alliances. But now it seemed sufficient, that the British ministry did not debar them from the liberty of endeavouring to obtain still better terms for themselves.

'from many conditions, which in right she was obliged to procure for her allies.' He very strongly urges the necessity of concluding immediately the peace between England, France and Spain; but absolutely insists upon Sicily for the duke of Savoy; which at last the King of France consented to, upon certain conditions, wherein very ample provision was made for satisfaction to the elector of Ba-

varia; and one express condition was, that a peace be concluded between England, France, Spain, and Savoy. In answer to this letter, lord Bolingbroke acquaints monsieur de Torcy, that he had received the Queen's orders to go immediately to France; and he hoped, under the auspices of the abbot Gaultier, in a week's time, to salute him at Fontainebleau. *Rep. of the Com. of Secr.*

With

With these instructions the lord Bolingbroke set out for ^{1712.} Dover on the second of August, accompanied by Mr Prior and the abbot Gaultier. The next day he landed at Calais, and was received with all imaginable demonstrations of joy from the inhabitants, and particular marks of respect from the governor. On the 17th of August, N. S. he arrived at Paris, and alighted at the house of the marquis de Torcy, where an apartment was prepared for him. The French minister received the British with uncommon civility, and assured him, 'That the King his master had ever entertained a great esteem and respect for the Queen of Great-Britain; to which sentiments he now added so perfect a friendship, that, notwithstanding the late successes of his arms in Flanders, he was still willing to make her Britannick Majesty the umpire of the general peace.' Compliments being passed on both sides, the two ministers entered upon business, and having adjusted the principal interests of the duke of Savoy, and of the elector of Bavaria, and settled the time and manner of the renunciations, agreed to a treaty for a suspension of arms between Great-Britain and France, both by sea and land, for the space of ^{Aug. 19.} four months. N. S. The next day the lord Bolingbroke was conducted by the marquis de Torcy to Fontainebleau, where the King of France then was with his court; and the apartment formerly belonging to the marshal de Boufflers was magnificently fitted up for him, and he was received with greater marks of distinction than were ever shewn to any person of his character, who made no publick appearance. He was the next morning introduced to a private audience of the King, to whom he presented the Queen's letter. ^{Aug. 21.} The French King received him in a very gracious manner, and assured him, 'That he ever had the highest esteem for the Queen: That she had proceeded in such a manner, as to turn that esteem into the sincerest friendship; and he hoped, she was satisfied he had done every thing on his part, which might facilitate the peace: That he was pleased to find it so near a conclusion: That there were some indeed, who used all endeavours to obstruct it; but that, God be praised, they would not be long able to do so; and that the success of his arms should make no alteration in him; for he would make good all he had offered.' The elector of Bavaria, who arrived at Paris on the 16th of August, and repaired to Fontainebleau the same day, the lord Bolingbroke went thither, was also in conference with him, whom he desired to recommend both his and his brother the elector of Cologne's concerns

1712. concerns to her Britannick Majesty. The French courtiers, in imitation of their sovereign, vied with each other, who should best entertain the British minister; and, among the rest, the duke of Noailles gave him a most magnificent supper, to which the persons of the first rank were invited; as was also general Stanhope, who, being lately exchanged for the duke of Escalona, took Fontainebleau in his way to England. The lord Bolingbroke offered that general to present him to the king of France; but Mr Stanhope thought fit to decline it. What was transacted in the private conferences between the King, or his ministers, and the lord Bolingbroke, besides the treaty for a suspension of arms, was kept very secret; except only, that it was agreed, that the court of Great-Britain should pay the annual sum of threescore thousand pounds by way of dower to the late king James's Queen; and that the chevalier de St George should retire out of France. On the 27th of August, N. S. the lord Bolingbroke took his leave of the king of France, who presented him with a fine diamond-ring, valued at about 4,000*l.* sterling, which formerly belonged to his son the Dauphin, and on the 25th his lordship returned to Paris, being still accompanied by the marquis de Torcy.

Suspension
of arms pro-
claimed at
Paris.

Aug. 18.
O. S.

On the 24th of August, N. S. the suspension of arms for four months was proclaimed at Paris with the same ceremonies usually observed at the proclaiming of peace, except that there were no publick rejoicings. Two days after, one of the Queen's Messengers, who attended the Lord Bolingbroke, brought the treaty to Whitehall; and, the Lord-Treasurer, having, the next day, carried it to the Queen at Windsor, to be ratified, her Majesty, in council, signed a proclamation, 'declaring the suspension of arms, as well by sea as land, and injoining the observance thereof. This proclamation was published both by itself, and in the London Gazette, in which an order of council was subjoined, importing, 'That for preventing any inconveniencies, to which her Majesty's subjects might be liable, by misapprehending the purport or effect of this proclamation, and for the improvement and security of the commerce of her loving subjects, her Majesty was pleased to declare, that, as soon as passes could be interchanged, they would be delivered to such of her subjects, as should desire the same.' Upon perusal of this order, which laid the English Merchants under a necessity of buying French passes, many were at a loss to discover wherein

1712.

wherein the benefit of the suspension consisted, unless it were in gratifying the avarice of the secretaries of state, who sold, at a dear rate, what had cost them nothing. Besides, it is observable, that, the French court not having sent over the passes so soon as the English ministers transmitted theirs, it happened, that several French ships, which were taken by Sir Thomas Hardy, were released upon producing of the English passes, while several English ships were, at the same time, made prize for want of French passes. This good disposition of lord Bolingbroke to the French Nation appears from his own letter to Mr Prior, of the 29th of September, wherein he says, ' I have got at last the affair of the Griffin [a rich French East-India ship] compounded, not without very great difficulty: And though the sum paid to the captors was so large as 35,000*l*. the ship was plainly prize, and the pass, sent over hither, might have been proved to have been numerically one of those I delivered at Fontainebleau, four days after the Griffin was in Sir Thomas Hardy's power; though Gaultier was ready to swear, that he received it some months before; which part of the abbot has, I confess to you, done him no good, in my opinion.' Hence it appears, that, though this pass was none of them, passes had been granted some months before the suspension was concluded.

It may here be observed that while the peace was negotiating, various reports were spread about the Pretender, who, after the stile used in the Queen's speech of the 6th of June, was now called, ' the person, who has pretended to disturb the settlement of the protestant succession of the house of Hanover.' About the latter end of June, the publick was informed from Utrecht, that he had been obliged to leave St Germain's, and was already on his way to Lorrain. However, about the middle of August, he made a visit to the king of France at Fontainebleau; but, upon the news of lord Bolingbroke's landing at Calais, it was thought fit, that the Chevalier should again retire from St Germain's, without his ordinary guard, and go to the castle of Livry. Not many days after he came to Paris, and, going to the opera, sat in the French king's box, which had been appointed for the lord Bolingbroke, who thereupon sat in another box; which, when known, occasioned no small noise in England. It was also advised from Paris, that the British minister had a private interview with the Queen-dowager of England; which, together

Various reports about the Pretender.

1712. ther with the rumour of the chevalier's taking upon him the title of duke of Gloucester, and retiring to Rheims in Champagne, occasioned various speculations. Whatever ground there was for these and other reports, it is certain, that the pretender's friends in Great-Britain were, at this juncture, extremely elated with the hopes of his restoration; and some news-writers in Holland, and, after them, others in London, did not scruple to take notice of what was said in Paris, 'That the pretender was to be associated with her Majesty in the sovereignty.'

On the 19th of August, the lord Bolingbroke set out from Paris, where he left Mr Prior to take care of some private affairs still under negotiation; and with Mr Hare, and the abbot Gaultier, proceeded to Dunkirk, and, imbarcking for England, arrived at London the 21st of August.

A stop put to the proceedings at Utrecht.

France was now become intire master of all future negotiations, and did not fail to make use of the power put into their hands: And upon occasion of a trifling quarrel, which happened at Utrecht between the servants of monsieur Mesnager, and of count Rechteren, one of the Dutch plenipotentiaries, the French made use of it as a pretence to keep the negotiations in suspence, as long as it served their purpose (c). The Venetian ministers immediately offered their mediation to accommodate the matter; and at the same time messieurs de Randwyck and Buys engaged the bishop of Bristol to interpose his good

(c) It seems, as count Rechteren was passing by the house of monsieur Mesnager, his footmen were laughed and hissed at by Mesnager's servants that were standing at the door: Which being complained of by count Rechteren, Mesnager promised the servants should be confronted; but afterwards sent word, he had examined his domesticks, and that they denied the fact. Upon this, Rechteren insisting that the servants should be confronted according to his promise, and Mesnager still refusing it, the count told his people, since he could get them no

reparation, they might decide their own quarrels themselves. Presently after, one of count Rechteren's footmen struck one of monsieur Mesnager's, and owned the fact, saying, It was true, he had given him a blow or two on the face; but that it was also true, he was one of those who had hissed at him; which was not denied by the other. This was so highly resented by the French king, and such reparation demanded, that the Dutch would not comply with it: So a full stop was put to all the proceedings at Utrecht for some months.

offices

offices in this affair. But the French ministers having consulted together, refused to hearken to any private accommodation, before they had received instructions from their court; by which they were directed to insist upon a public satisfaction, and on the recalling of count Rechteren; and appointing another plenipotentiary in his place. The States not thinking it consistent with their dignity to submit to those demands, the negotiations at Utrecht were suspended, whilst the earl of Strafford, and some other ministers, used their endeavours at the Hague to find out an expedient to remove that obstruction; but, the French king's pride being now again in exaltation, he was intractable. On the other hand, the States seemed resolved not to comply with so extravagant a reparation, being desirous of drawing this dispute into length, that they might avoid entering into a negotiation of peace, which they thought must be detrimental to their interest, and the common cause, and still hoping, that something might happen, which would occasion some favourable turn in the affairs of Europe. To this purpose it was observed, that at the opening of the assembly of the states of Holland on the 13th of September, N. S. pensionary Heinsius, in a very pathetick speech, shewed 'the impossibility of concluding a peace at this juncture, without losing the fruits of all the blood and treasure they had expended in the present quarrel, and exposing their country and the liberties of all christendom, to imminent danger: Urging, that as, of two evils, they ought to chuse the least, so they must make extraordinary efforts to carry on the war, till a safe and honourable peace should be obtained: And concluding, that, thanks to the Almighty, they were not wholly destitute of means for that purpose, provided they would act with the same constancy and harmony, which the republick had exerted on so many occasions.' This speech had its effect, both with the states of Holland, and the States-General; for the earl of Strafford having signified to them, 'That the Queen was willing to endeavour to engage France to admit them, or any other of the allies, into the suspension of arms;' they answered they could not resolve any thing upon it, without the Emperor and the other allies; and that it would be too great a disgrace to the confederacy, to ask a suspension of arms, without being assured of obtaining it. As to the earl of Strafford's proposition of granting passports to the plenipotentiaries of king Philip, the States alledged, they could

The Pensionary's speech against a peace.

1712.

could not comply with it, without doing a manifest injury to the Emperor, who had at least an equal title with king Philip to the crown of Spain.

Insult on the
Marquis del
Borgo and
the earl of
Strafford.

About this time another accident happened at Utrecht, which was like to prove a new obstruction to the negotiation of peace. The earl of Strafford had, by his lofty carriage, made himself very obnoxious to the Dutch; and, it being given out, that the duke of Savoy had abandoned the allies, and agreed to a suspension of arms, some of the common people, in the night-time, broke the windows, both of the marquis del Borgo, one of the duke's plenipotentiaries, and of the earl of Strafford; and, as a farther indignity to the earl, they set up a wheel on the rails before his house, with a paper on it, in which was written the Dutch word, Straff-art, alluding to the earl's name, and implying, that he deserved the punishment denoted by the wheel; the word Straffen in Dutch signifying, to punish or chastise. This insult was highly resented by the British plenipotentiaries; but the magistrates of Utrecht having published a reward of four hundred gilders to any one, who should discover the authors of it, and that the name of the informer should be concealed; the British court thought fit not to take any notice of the affront at this juncture, the rather, because it was by many suspected, that the French emissaries were at the bottom of this insult, in order to irritate the British nation against the Dutch.

The French
insist on the
restitution of
Tournay.
Rep. of the
Com. of
Secr.

The ascendant, which France had now gained in all the negotiations of peace, was evident from their insisting upon the restitution of Tournay, which deserves to be particularly set forth. On the 30th of August the British plenipotentiaries at Utrecht acquainted the lord Bolingbroke, that in some discourse with the ministers of the allies they had carried matters so far as to tell them, that though her Majesty would endeavour to promote their interest in a peace, and obtain for them the best terms, that should be possible; yet, if those endeavours should not procure more than the contents of her Majesty's speech, or even in some degree fall short of that plan, the fault would be intirely theirs, who had rendered things difficult and uncertain, which otherwise would have been easy and practicable. And, having thus far complied with their late orders to lay all the blame upon the allies, they further informed his lordship, that they had however obtained the consent of the ministers of the allies to come to a conference with those of France, in order

1712.

der to renew the negotiations; the time to be fixed between the British and French plenipotentiaries, who, meeting to have some discourse previous to the general conferences, parted without coming to any conclusion. The occasion of their difference, that prevented renewing the conferences, arose upon proposals made by the British ministers in relation to Tournay. They, in a letter of the 2d of September, N. S. to lord Bolingbroke, state the case in this manner: 'In her Majesty's speech it is expressed, 'That the Dutch are to have the intire barrier, as demanded in 1709, except two or three places at most.' The French ministers insist, that they must have Lisle as an equivalent for Dunkirk; and that the same is not to be understood as one of the three places mentioned in the speech; and consequently that they must, in all have four of the places mentioned in the demands of 1709. This to us appears to be altogether inconsistent with what her Majesty has declared; and we accordingly think it contrary to our duty to bring on a conference, in which such an explication is to be made. The French ministers, on the other hand, have shewed us their orders, which positively require them to insist upon the restitution of Tournay as well as Lisle; and that they can by no means consent to the cession of Maubeuge or Condé. The British ministers then pressed the French to speak at first in terms as general, as their proposal was conceived in; but the French thought it necessary to be particular and express in that point above all others, because they shall otherwise have tied themselves up, and given the Dutch an advantage. The result of this debate was, not to proceed to a conference, till this point be determined; the French insisting, that their orders were so plain, as neither to need nor admit any explication; and the British ministers thinking the matter is plain on their side. They hoped, their zeal for her Majesty's honour would be graciously approved, and desire to be directed what further they are to do in this matter, which they apprehend to be of a decisive consequence; because they find even those among the Dutch, who appear to be most cordially disposed to such a peace, as may re-establish a good harmony between her Majesty and the States, as absolutely necessary for their mutual preservation, fully resolved, either to retain Tournay, and have Condé yielded to them; or to take one of these two courses, either to come into any terms, that France offers, or to continue the war at all hazards. The language, which our plenipotentiaries had used to the allies,

1712. allies, is very much approved of by lord Bolingbroke, in his letter of the 26th of August, who says, they had spoke the sentiments of the Queen's heart, in what they declared the 30th of August, N. S. and that, if the allies did fall short of the plan laid down in the Queen's speech, the fault was intirely their own. His lordship says, 'Sure it is, that this plan was nothing more than an ultimatum of what France would offer; but he wished, that the Imperial and Dutch policy had not rendered it the ultimatum of what France will grant. The same general reflections might be applied to the particular case mentioned in their lordships letter. France would have yielded Tournay, though much against the grain. If France has now any advantage, and refuses flatly to yield what she only begged to have restored, the fault is intirely theirs.' But the dispatch of the plenipotentiaries of the 2d of September, relating to Tournay, having not yet been considered by the lords of the council, his lordship could not give any positive instructions about it till the next opportunity; but, in the mean time, recommended to them two considerations: That the keeping of the Dutch in hopes of her Majesty's good offices will prevent them from taking any desperate resolutions; and the French insisting to have count Rechteren disavowed, before any further treaty, will put off, for some time, the decision of that great point. The earl of Strafford, in the mean time, by his letters of the 13th and 16th of September, N. S. represented the States 'as mightily sunk with their misfortunes, and not knowing well what measures to take; but that they insisted upon Tournay as so essential to their barrier, that they had actually none without it: And his lordship was so much of that opinion, that he wishes they might have Tournay, though they were forced to truck Ypres, for it: That if he could positively assure them they should have Tournay, he believed they would submit to the plan of the Queen's speech.' This opinion of his lordship is not very easily reconcilable to what he afterwards wrote to Mr Prior upon this subject, Octob. 12, 1712: 'If we had a mind to have Nick Frog sign with us, we might, for he is ready to do it for Tournay; which, if we sign together, we cannot well refuse him: But I expect you will cut that matter short, and I long to hear from you.' But this affair of Tournay was not so soon settled in England; although the difficulty does not seem to be, whether the French or Dutch

1712.

Dutch were to have it; but in what manner it was to be procured for France, without a manifest contradiction to what was said by the Queen, in her speech concerning the Barrier. Lord Bolingbroke, on the 10th of September, O. S. writes three letters upon this subject, to monsieur de Torcy, to Mr Prior, and to the plenipotentiaries. In that to monsieur de Torcy, he desires him to remember the proposition, which was often laid down by him when in France, and insisted upon as a fundamental in all their future proceedings upon the general peace: That the conduct of the Queen, in regard to the interests of her allies, was in a great measure determined by their behaviour: That the violent measures, which they had taken to obstruct the peace, had put the Queen in a condition to make her peace, without waiting for their concurrence; in which case the Queen would declare, that she had signed the treaty with France and Spain, and would propose the plan brought over by abbot Gaultier, and delivered the 29th of April 1712, for the allies to treat upon, and could do no more than by her good offices, as a common friend to both parties. But, in case the Dutch in particular, or the other allies, should, before the conclusion of her peace with France, enter into concert with her Majesty, we should have more measures to keep with them; the compassion of our people would be moved in their behalf; and the Queen's ministers obliged to make some steps, which otherwise they would absolutely refuse to do. Upon this foundation, continues his Lordship, the King's ministers seem to exact something more, when they insist the Queen's ministers should propose the holding a conference, in which the first propositions started would appear, in some measure, contrary to what the Queen said in her speech, touching the barrier of the states. The point in dispute between your plenipotentiaries and ours is not to know, Whether Tournay shall be restored to the king or not? For, to obtain that place, it is not necessary you should begin by making this specific declaration. But the question is, Whether the Queen ought formally, and at present, to declare that Tournay shall be restored to France? Which would be to consent to the explanation, which your ministers give to this article of the Queen's speech. His lordship then says: 'Not to swell my letter too much, which may already seem tedious, I refer myself to what Mr Prior shall have the honour to explain to you upon this point; and I shall content myself with saying, that as it

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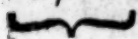
1712.

‘ is not difficult to find a temperament, I hope we shall avoid all things, that may occasion a dispute between the ministers of Great-Britain and France.’ This temperament is to be found in his letter to Mr Prior of the same day, which he says, ‘ is to be looked upon only as a letter from Harry to Mat, and not the secretary to the minister.’ He sends him inclosed an extract of his letter to Monsieur de Torcy, ‘ which, he says, relates to a matter, that has given lord treasurer and himself no small trouble in the cabinet. He likewise sends him a copy of the plenipotentiaries dispatch of the 2d of September upon the same subject; wherein, as he will observe, their lordships are very warm about the disputes. He can assure him, we have those, who are not a jot cooler. His lordship goes on: The solution of this difficulty must come from you; which is a matter of management and appearance, more than of substance. The method of doing it is by making monsieur de Torcy sensible of the proposition settled between them in France, that the Queen can never do any thing, which shall look like a direct restraint on her allies from demanding what they judge necessary; but as long as they act the part, which they now do, she can very justly be passive and neuter as to their interests, This his lordship thinks is advantage enough for France, and such a one, fairly speaking, as a year ago they would have given more than Tournay to be sure of. They must not therefore press us to go further than this, nor to do any thing, which may seem contradictory to what the Queen delivered from the throne. In a word, the use, which the French will make of the unaccountable obstinacy of the Dutch, and the other allies, may, in several respects, and particularly, for aught I know, in the instance of Tournay, give them an opportunity of saving and gaining more than they could have hoped for; and the Queen may in the present circumstances contribute passively to this end, but actively she never can in any circumstances.’ His lordship then very plainly gives his advice how this matter is to be managed, in these words: ‘ I think in my opinion, and I believe I speak the Queen’s upon this occasion, it were better the French should in the course of the treaty declare, that, whatever they intended to have given the Dutch, when the Queen spoke from the throne, their conduct has been such, and the situation of affairs is so altered, that the King is resolved to have Tournay restored to him:’

‘ I say,

1712.

' I say, I believe this were better, than to expect, that
 ' we should assent to an exposition of the Queen's words,
 ' by which her Majesty would yield the town up. Let
 ' the conferences begin as soon as they will, I dare say,
 ' business will not very speedily be dispatched in them.
 ' We shall go on to ripen every thing for a conclusion be-
 ' tween us and Savoy, France, and Spain, and this is the
 ' true point of view, which the French ought to have be-
 ' fore their eyes.' This scheme being concerted here,
 and transmitted to France, lord Bolingbroke on the same
 day writes to the plenipotentiaries, in answer to theirs of
 the 2d of September, N. S. upon which he had before
 told them, he could give no instructions, till their letter
 was considered by the lords of the council; neither does
 his lordship now send them any directions, but enlarges
 upon the same general topicks of imputing all the mis-
 chiefs, that had happened, and in particular this affair of
 Tournay, to the obstinacy of the allies. His lordship ob-
 serves, ' That, in the plan brought over by abbot Gaultier,
 ' the king of France begged for Tournay, rather than
 ' insisted upon it; but was now encouraged to refuse what
 ' he only endeavoured to save: And, in short, that France
 ' had now gathered strength by our divisions, and was
 ' grown sanguine enough to make that plan the ultimatum
 ' of her concessions, which was at first nothing more than
 ' the ultimatum of her offers; but that the Dutch had no
 ' body to blame for all this but themselves.' His lordship
 adds, ' Her majesty is very sensible of the concern you ex-
 ' press for her honour, and will not, you may be sure,
 ' suffer herself to be a party to any thing, which may ap-
 ' pear contradictory to what she has once advanced: And
 ' although perhaps the yielding of Tournay might be re-
 ' conciled to the terms of her speech; yet, should the
 ' queen consent to this exposition of it, such consent
 ' would be almost a formal restoration of this place to
 ' France: And this, my lords, is what her majesty will
 ' avoid. But I hope the solution of this difficulty will come
 ' from France; and that, when they have so many other
 ' quarrels to decide, that court will go back from a mea-
 ' sure, which must involve them in a dispute with the queen.'
 Among Mr Prior's papers, the committee of secrecy in
 1715 found one, which seemed to be the draught of a let-
 ter from him to monsieur de Torcy, pursuant to what lord
 Bolingbroke had written to him upon the subject of Tour-
 nay; which is in substance the same, and almost in the

1712.  very words of lord Bolingbroke's letter to Mr Prior of the 10th of September, with this addition, that it begins thus: 'There is more appearance than substance in this affair, that is now under agitation at Utrecht; and my lord-treasurer does not at all doubt but the court of France will find a remedy.' And his lordship was not mistaken in his expectations. For monsieur de Torcy very readily followed the advice, that was given by the English ministry; and on the 27th of September, N. S. sends lord Bolingbroke a declaration to be made by the French plenipotentiaries at Utrecht, wherein the king's ministers are ordered to declare to those of Great-Britain, 'That the king did consent to treat of the peace upon the plan laid down in the queen's speech to her parliament; but at the same time they were to say, that the Dutch having refused to conform to the sentiments of that prince, having rejected the suspension of arms, and given opportunity to the several changes in affairs, that had happened; it is but just, that his majesty should be recompensed for the expence he has been obliged to make during the course of this campaign. Upon this foundation his majesty orders his plenipotentiaries not to sign a peace but upon condition, that Tournay should be restored to him, besides the other places, which he has demanded, and which he had reason to believe the queen of Great-Britain did design to comprehend in her speech.' However the measures and counsels relating to this affair were afterwards altered upon great concessions made to France, and advantageous terms procured for the elector of Bavaria. But that Tournay was, at last, obtained for the Dutch, was principally owing to the firmness and resolution of the States, and to the assistance of the earl of Strafford, who refused to sign the treaty without the cession of that place to the States, on which account he received their solemn thanks.

Mr Prior
plenipoten-
tiary at Pa-
ris.

Mr Prior having been left by lord Bolingbroke at Paris, as the queen's plenipotentiary, he was introduced by the marquis de Torcy to a private audience of the king; and obtained a favourable interpretation of a clause inserted in the late treaty for a suspension of arms, which had raised a clamour among the merchants in London. For it having been stipulated, 'That none of the queen's men of war, or merchants ships, should transport or convoy into Portugal or Catalonia, or any of the places where they made war at present, any troops, arms, cloaths, provisions,

or

‘ or ammunition:’ The English traders were justly apprehensive, that under that pretence they might be debarred from their usual traffic of corn and fish, of which there are great demands at Lisbon and Barcelona, in time of peace as well as in war. 1712.

While Mr Prior was in France, news came, that a French squadron in the West-Indies was taking the sugar-islands belonging to the English, destroying their plantations, carrying away their negroes, and making hostages of the planters. Upon notice of this invasion of the Leeward-islands by the French, the lord Bolingbroke wrote thus to Prior, September the 19th, O. S. ‘ This proves a very untoward contretempt. It gives a theme to the whigs, and serves to awaken the passions that were almost lulled asleep. We expected that Cossart’s squadron might have gone to the coast of Brazil, or to Surinam; but we never imagined our colonies would have been attacked by him, at a time when we were knitting the bonds of friendship between the two nations with all possible industry. Could this ill opinion of our new friends have entered into our heads, I do assure you, he should have been accompanied by a fleet of the queen’s, which would have kept him in respect.’ He remembers the orders that were so punctually and chearfully obeyed by the duke of Ormond, which, as he thinks, saved the French a beating, and then adds: ‘ In a word, we depended so much upon the good understanding, which we thought established, and were so earnest to prevent any thing, which might break in upon it, that we not only avoided to fortify our squadron, as we might have done, but we also neglected to put in execution some designs, which would have annoyed the French and Spaniards perhaps more than any which have been effected in the course of the war.’

The French destroy our sugar-islands. Rep. of the Com. of Secr.

Mr Prior was so entirely devoted to the French court, that, towards the latter end of October, without either leave or orders from the queen, he came over into England, at the desire of the king of France, who thought him a proper person to be intrusted with the great secret of prevailing with the queen, by her credit, to obtain what he demanded for the elector of Bavaria; for which purpose he brought a credential letter to the queen, importing, ‘ That his conduct was very agreeable to that monarch.’ About the middle of November he was sent back to France with new instructions, wherein the proposal of a neutrality in Italy

Prior returns to England. Rep. of the Com. of Secr.

1712. was one of the chief articles: And, that he might have a perfect knowledge of the queen's present resolutions and counsels, in relation to the present treaty of peace, a copy of the last instructions to the plenipotentiaries at Utrecht was given him, that, as occasion should require, he might act in all things conformable to the queen's intentions therein expressed. He carried likewise a letter from the queen to the king of France, wherein, among other things, it is said that, Mr Prior continuing to behave himself so, as that his conduct may be intirely agreeable to the king of France, he does but literally execute the order the queen had given him, and is a proof of his duty and zeal for her service.

Endeavours
to bring the
duke of Sa-
voy into the
queen's
measures.

June 27,
N. S.

About this time, in order to conquer the obstinacy of the Dutch, it was industriously given out in England and Holland, that the duke of Savoy had agreed to a suspension of arms; which report had, as yet, no other foundation, than the earnest endeavours of the British ministers to bring him into the queen's measures; for which the emperor's backwardness to give him satisfaction about some claims, not ill-grounded, gave them a very plausible handle. The differences, which had been long depending between the courts of Vienna and Turin, having been very prejudicial to the confederate interest, because the duke of Savoy rather chose to stand still, than, by going into the field, to promote the interest of an ally, who still put off the performance of his engagements to him: The maritime powers used their utmost endeavours to put an end to these fatal disputes. Both parties were at last prevailed with, to refer the controversy to the arbitration of the queen and the States, whose envoys, Mr Stanyan and monsieur Vander Meer, having met at Milan the plenipotentiaries of the emperor and the duke of Savoy, and maturely weighed the allegations on both sides, they agreed on a sentence of arbitration, importing in substance, that either the town of Vigevano, or an equivalent for it, should be given to the duke, together with several other districts. The duke of Savoy readily acquiesced in this decision, for which he returned thanks to the British and Dutch ministers; but the imperial commissioners solemnly protested against it; which was very ill relished at the court of Great-Britain. While this affair was depending, the duke of Savoy ordered count Maffei, his first plenipotentiary at Utrecht, to repair, about the middle of May, to London, to solicit the arrears of subsidies due to him; and, the better to succeed in his negotiation, that

that minister did not fail insinuating, that his master was inclinable to enter into the British measures. Upon this hint, Mr St John, who seized all opportunities to mortify the house of Austria, started the proposal of giving the kingdom of Sicily to the duke of Savoy, in order to engage him in his views. And therefore, though the French plenipotentiaries at Utrecht had early offered that island to the emperor, yet the British minister declared to the marquis de Torcy, that the queen absolutely demanded it for the duke of Savoy. It is, however, observable, that the duke was so far from relishing this proposition, that he declared to the earl of Peterborough at Turin, 'That he was not so vainly impatient for the title of a king, as to lose or hazard any real interest for an empty name; but that he thought it much more extraordinary, that a prince defeated ten years together by his enemies, should remain, at last, with the prize contended for, and which so often, by parliament, had been declared the just and unavoidable motive of the war.' To calm the uneasiness of mind the duke of Savoy was in, the earl of Peterborough represented in a memorial to him, 'That, in refusing those offers, he must fall out with the queen and the English ministers, whom he endeavoured to excuse from the reproaches cast upon them, as if they were persons devoted to France. That, for the support of what was proposed, a sufficient fleet would be furnished, either by England or France, or by both powers jointly; and that he should be guaranteed and protected against any power, that should oppose this project, or should insult him for having accepted these offers.' The arguments of the British ministers prevailed at length with the duke; and, if their design was effectually to disable the emperor from supporting himself against France, after the separation of the English, by forcing into the interest of France an ally so considerable as the duke of Savoy, these measures were certainly extremely well calculated for such an end. This forwardness of the British ministry to make England a guarantee for conditions advantageous only to France, and which must naturally have engaged the nation in a war with the emperor, was the more extraordinary, in that, during the whole course of this negotiation, no endeavours were used to procure a guaranty of the allies to secure the protestant succession, which had been addressed for by both houses of parliament. While the earl of Peterborough was alluring the duke of Savoy with

1712. the promise of Sicily, the French endeavoured to draw him off by open force. But the duke of Berwick, after an unsuccessful attempt to surprize fort Edmund and Conti, and the plundering of the neighbourhood of Salusses, which occasioned a warm skirmish, was obliged to repass the Alpes with an inconsiderable booty. On the other hand, count Maffei having, with great address, obtained from the British court a large sum of money, in part of the arrears due to his master, he returned to his post at Utrecht, towards the end of September, O. S. by which time the emperor had sent orders to his ministers at Milan, to give the duke of Savoy intire satisfaction. But this condescension had no effect upon a prince, who was already biased by the gold and promises of Great-Britain.

The elector of Hanover refuses to come into the British measures.

The English ministers, and their agents, were not equally successful in some courts of Germany. Mr Thomas Harley, a near relation of the lord treasurer, who, about the beginning of this year, had been appointed to go to Hanover with a secret commission, having staid some months in Holland, to watch the progress of the Negotiations at Utrecht and the Hague, set out, at last, about the beginning of July for Germany. On the 12th of that month, N. S. he arrived at Hanover, accompanied by Mr St John, brother to the lord Bolingbroke, and some other young English gentlemen, who were all entertained at the elector's expence. Three days after, Mr Harley, who from the station of coadjutor to the secretary of the treasury, was now raised to the character of ambassador extraordinary, had a publick audience of the elector, and afterwards of the princess Sophia, electress dowager, and of the electoral prince and princess, by whom he was received with distinguishing marks of favour, as one so nearly related to the prime minister of Great-Britain. The design of this embassy was to persuade the elector to come into the British measures, which Mr Harley pressed strongly, and, amongst other arguments, told him, ' That the contrary ' would do him an injury in the minds of the people, who ' were set upon peace.' But the elector remained firm in the sentiments, which he formerly expressed in the memorial presented about a year before by baron Bothmar, and answered Mr Harley to this effect: ' I do not put myself ' upon the foot of one pretending immediately to the ' throne of Great-Britain. The queen is a young woman, and, I hope, will live a great many years. When ' she dies, my mother is before me. Whenever it pleases ' God

‘ God to call me to that station, I hope to act as becomes
 ‘ me, for the advantage of the people. In the mean time,
 ‘ speak to me, as to a German prince, and a prince of the
 ‘ empire. As such, I must tell you, I cannot depart from
 ‘ what I take to be the true interest of the empire and the
 ‘ Dutch.’ Mr Harley, having continued above two
 months at Hanover, set out from thence to return to Great-
 Britain. 1712.

Endeavours were likewise used about this time to bring
 the king of Prussia into pacific measures, with no better
 success than at the court of Hanover. But, notwithstand-
 ing these and other disappointments, the British ministers
 pursued their scheme with steadiness and resolution; which
 being chiefly founded on king Philip’s renunciation of the
 crown of France, the lord Lexington was appointed to go
 to Spain, to press and be witness of the performance of that
 important preliminary.

Though the public negotiation at Utrecht was, for some
 months, at a stand, upon account of the dispute between
 Mesnager and Rechteren; yet, some private steps were
 made in the mean while for bringing the war to a conclu-
 sion: For on the 9th of October, N. S. the ministers of
 the States declared to those of Great-Britain, ‘ That, for
 ‘ the good of peace, the States were willing to yield Lisle
 ‘ to France, and recede from their pretensions to have Do-
 ‘ way, Valenciennes, and Maubeuge, which they had
 ‘ hitherto insisted upon; provided Condé and Tournay
 ‘ were included in the barrier, the Tariffs of 1664 restor-
 ‘ ed, and that Sicily be yielded to the emperor, and Stras-
 ‘ burg to the empire.’ This proposal was immediately
 transmitted to the court of Great-Britain, where it was
 looked upon as more reasonable than any of the former
 schemes. On the other hand, the imperial ministers find-
 ing the States inclined to yield up Spain and the West-In-
 dies to King Philip, to which they knew their master was
 unwilling to consent, count Zinzendorf proposed a plan,
 according to which the emperor, and the States of the
 empire should furnish four millions of crowns, which were
 supposed to be sufficient to put their forces in a condition to
 act offensively, and to maintain most of the auxiliaries lately
 in the British pay. But, it having been found by long expe-
 rience, that there was no great dependance to be made on such
 promises, some of the princes, to whom those troops belong-
 ed, resolved to recal them upon various pretences.

New scheme
 of peace pro-
 posed by the
 Dutch.

On

1712. On the 4th of October, one of the queen's messengers arrived at Utrecht with dispatches for her ministers; and after a conference with those of the States, the earl of Strafford, the next morning, set out for England, and on the 13th arrived at Whitehall.

The earl of Strafford comes to England.

Various conjectures about it.

Misunderstanding at court.

The earl's sudden departure from Holland occasioned various conjectures both at home and abroad. The general opinion was, that he was sent for to give the Queen and her ministers a verbal account of the disposition, in which he left the Dutch as to peace and war, and to receive the Queen's instructions in relation to their late scheme. But those, who observed what passed at court, ascribed his coming over to a misunderstanding, which, about this time, appeared to be among the Queen's servants. It is evident (from the lord-treasurer's account of publick affairs, sent to the queen in August 1714) that there had been several misunderstandings between him and the lord Bolingbroke. He observes particularly, that, when it was found necessary to create some new peers in the session of parliament in 1711, so many having been brought formerly out of the house of commons of those, who used to manage publick affairs, it was proposed to Mr secretary St John, that, if he would be contented to stay in the house of commons that session, the queen would create him a peer, and he should not lose his rank: accordingly, after the session was ended, the queen ordered a warrant for him to be a viscount; which put him into the utmost rage against the lord-treasurer and lady Masham. It availed but little to tell him, how much he had got in place; for, had he been created with the other lords, it would have fallen to his share to have come next after lord Trevor. But the treasurer, with great patience, bore all that storm, of which lady Masham was often a witness; and Mr Arthur Moore, a considerable time after, told the treasurer, that lord Bolingbroke said to him, he owed him a revenge upon that head. This discontent continued, till there happened an opportunity of sending him to France, of which there was, says the treasurer, not much occasion; but it was hoped, this would put him in good humour; which it did, till, in October 1712, there were knights of the garter made; which occasioned a new resentment from lord Bolingbroke, which frequently broke out in outrageous expressions publicly against all then made; who were the dukes of Beaufort, Hamilton, and Kent; the earl Paulet, and the earls of Oxford and Strafford. The duke of Hamilton made a private appli-

application to the queen, desiring, he might be permitted to wear both the garter and the order of the thistle; but was answered, the same was unprecedented; and that the duke of Argyle had laid down the thistle, upon his being made knight of the garter. 1712.

The lord Lexington, who was appointed to go to Spain, to press the renunciation of king Philip to the crown of France, having embarked at Portsmouth on the 15th of September, arrived, October the 7th, at Madrid, where he was received with great marks of honour and distinction. King Philip's renunciation to the crown of France. Hist. of Eur. Before his arrival, upon information, that Sir — Burke resided there, as minister of the king of England, whose arms he had set up before his house; the lord Lexington complained of it to the court, and demanded, that he should depart from Madrid, which he was immediately ordered to do. The lord Lexington had then several conferences with king Philip's ministers about that prince's renunciation; which being drawn up in form, and agreed to, his majesty signed it on the 5th of November, N. S. and swore upon the holy evangelists, to observe it, in presence of the council of state, and of the chief nobility. The cortes, or states of Spain, having been summoned to meet at Madrid, in order to enact this renunciation into a law, king Philip, attended by the president of Castile, and council of state, went to that assembly, and told them, 'That the efforts, which the nation made with so much zeal and fidelity, to secure his crown in two perilous occasions, were of such a nature, as never to be forgot. And to shew his gratitude, to procure peace for his people, and to be never separated from them, he renounced all pretensions, which either himself, or his issue, might have to the crown of France; and desired them to give their consent to it.' Upon this the cortes confirmed and approved the renunciation, and the crown of Spain, after king Philip's posterity, was limited to the house of Savoy. The queen, and prince of Asturias, and the lord Lexington, were present at the whole solemnity. But it is to be observed, that his lordship did not yet take upon him any character; and that some time before king Philip sent orders to the marquis de Monteleone, who was then at Paris, to repair to the court of Great-Britain.

The like renunciation was made some months after, by the princes of France to the crown of Spain: and king Philip was declared incapable of succeeding to the crown of France. It was something strange, to see so much weight laid

1712. laid on these renunciations, since the king of France had so often, and so solemnly declared (upon his claiming, in the right of his queen, the Spanish Netherlands; when the renunciation made by his queen before the marriage, pursuant to the treaty of the Pyrenees, of all rights of Succession to her father's dominions, was objected to him) that no renunciation, which was but a civil act, could destroy the rights of blood, founded on the laws of nature: But this was now forgot, or very little considered.

The Spaniards invade Portugal.

Sept. 22.
N. S.

While these things were transacting, endeavours were used to bring the crown of Portugal into the present measures of peace; and, lest persuasion should fail, it was thought proper to use more forcible arguments. The marquis de Bay, who commanded king Philip's forces in Estremadura, marched with his army, and encamped within half a league of Elvas. To encrease the jealousy, which by this march he had given the Portuguese, as if he designed to besiege that place, he went to take a nearer view of it, and then returned to his camp. On the other hand, the Portuguese, deceived by these appearances, worked hard in repairing the fortifications of Elvas, and conveyed into it two battalions, drawn out of Campo-Major; which being the town the marquis de Bay had a design upon, he marched with the whole army, and invested that place. This irruption of the Spaniards, to the number of near twenty thousand men, at a juncture, when Great-Britain (the main support of Portugal for many years past) had reduced all her forces in that country, except two regiments, could not but make the court of Portugal very uneasy. Their consternation was very much encreased, upon the news, that the Spaniards had invested Campo-Major, the most regular fortification on the frontiers of Portugal; but which, at that time, was not provided either with a sufficient garrison, or with ammunition and provisions for a long siege. However, on this occasion, the Portuguese exerted themselves with vigour and resolution, which was in great measure owing to the conduct of major general Hogan, an Irish gentleman, and of brigadier Mafsey, an experienced French protestant engineer, who formed, in conjunction with the count de Ribeira, and several other officers of note, the design of getting into Campo-Major, which was executed with very good success at the head of two or three hundred Portuguese grenadiers, a day or two after the enemy had opened the trenches. Hogan having also got into the town with a supply of four or five hundred men,

men, the count de Ribeira, who commanded there in chief, made the necessary dispositions to defend the place to the last extremity, and was so well seconded by the officers and troops under him, that he obliged the marquis de Bay to raise the siege. Notwithstanding this success, the expedition of the Spaniards had the effect desired by the courts of France and Great-Britain. For, the Portuguese finding they were like to be left by England, if they continued the war against Spain, the count de Tarouca, the Portuguese minister at Utrecht, was prevailed upon by the bishop of Bristol to come into the queen's measures, and sign the suspension of arms the 7th of November. He excused this proceeding to the ministers of the allies as a pure effect of necessity.

Thus ended the war in Portugal. As to the army in Spain, the latter end of September, brigadier Price, who commanded the English, received a letter by a trumpeter of the enemy, from Mr secretary St John, with orders from the queen to leave immediately the army of count Staremberg, and march to the sea-side near Barcelona, and there to wait the arrival of Sir John Jennings, who was to transport them to Port-Mahon. This surprising news (says the author of the manuscript account) caused a great consternation among our confederates, and very much enraged the Catalans, who found, they were going to be forsaken by those they had most reason to trust. To prevent the effects of their resentment, and our being molested upon our march by the miquelets and other country people, the queen of Spain sent four persons of distinction, to be as safe-guards to us, and to take care we should be supplied with provisions. We came to Barcelona and encamped by the sea-side, on the very spot of ground where king Charles landed with the troops, when he besieged and took that city. Here we continued some time before Sir John Jennings arrived. With him came over colonel Kane, with a commission to break Lepel's regiments, that they might sell their horses, and to see the men on board, with the regiments of foot, and the train of artillery; which orders were executed in a very short time, and we were all carried to Port-Mahon.

The duke of Hamilton (who had been made master of the ordnance, vacant by the death of earl Rivers) was appointed ambassador extraordinary to the court of France. The choice of the duke for that embassy gave melancholy speculations to those who thought him much in the pretender's

1712.

The forces
in Spain cal-
led home.
M. S.

Duke Ha-
milton am-
bassador to
France.
Burnet.

1712.

der's interest, and knew, that he was considered, not only in Scotland, but likewise in England, as the head of his party. On the other hand the king of France named the duke d'Aumont, first gentleman of his bed-chamber to go into England with the same character of ambassador extraordinary: which was likewise agreeable to the pretender's friends, to whose interest he was openly attached.

Conference
between the
duke of Or-
mond and a
Dutch depu-
ty.
Cond. of the
duke of Or-
mond.

All this while the duke of Ormond continued in his quarters in Ghent, where one of the Dutch field-deputies came to him the 7th of September, N. S. being sent by his colleagues, to sound him upon several points. He asked first, Whether the English troops were to stay at Ghent and Bruges the winter, or how long? To which the duke answered, He could not tell, but saw no appearance of their being withdrawn as yet. He asked next, Whether the duke would consent to the States putting some of their troops into Ghent, to take care of their convoys, and escorte them to their frontier garrisons? The duke said, He thought himself obliged not to suffer any troops, but those of the queen, to continue in the town. However he had no intention, by taking or keeping possession of that place, to obstruct their convoys; and that the Dutch troops might still come to the counterscarp of the town, and receive whatever was to be carried to the camp, as had been practised ever since Ghent was in our hands. The deputy's next question was, Whether the duke would let part of the Dutch troops take their winter quarters in Bruges, as they had done ever since the reduction of that place? The duke answered, He could not admit of any troops whatever, besides those of the queen, either in Ghent or Bruges, till he had her majesty's orders. The lord Bolingbroke highly applauded the duke's conduct on this occasion, and told him in a letter, ' That the queen had received so much ill usage with respect to the commerce of her subjects in the Netherlands, and had so much reason to expect more of the same kind, that she was resolved to treat upon that head with those pawns in her hand.' But, upon recollection, the lord Bolingbroke, in a second letter, acquainted the duke, ' That the positive order, contained in his first, was not sent to prevent the admission of other troops besides her majesty's, into Ghent and Bruges. That the queen was enough satisfied, that his grace would take effectual care to preserve those cautionary places, which could alone secure to her any tolerable conditions, with respect to the Netherlands, in the terms

Sep. 9.
O. S.

of

1712.

of peace. But he confessed he thought, it could be no ways unnecessary to give his grace a very positive and clear order, in an affair, which might perhaps make a great deal of noise.' The duke not only punctually obeyed the orders, which he received from England, but was also very forward in assisting the queen's new friends, the French, even at the expence of her old allies. For being informed of a design, which the Dutch, from the late success of their enterprize upon fort Knocque, had been encouraged to form, for surprising Newport or Furnes; and that the fortifying Dixmuyde was made use of as a pretence for drawing together a body of troops sufficient to put the design into execution, the duke knew not, but the queen might think it for her service, that the design should not succeed, since, if the Dutch were not suffered to take possession of those garrisons, the queen would not only have a greater influence towards settling the commerce of the Netherlands on a good foot, but would be able to secure, what was of the highest consequence at that time, a free communication between her troops, which were in Ghent, Bruges, and Dunkirk. He therefore, in a letter of October the 21st, acquainted the secretary with this affair, and left his lordship to judge of the importance of it, and the use, that was to be made of it. But, if the queen thought it most for her service to prevent it, he was humbly of opinion, some means should be found out to give advice of it to the marshal de Villars, who might possibly think, we owed him that good office, in requital of some informations, his lordship knew had been sent by the marshal, with a design to serve her majesty and the nation. The queen was of the same opinion concerning the use to be made of the intelligence mentioned in this letter; but, the campaign being by this time at an end, the duke asked and readily obtained leave to return to England; and, having taken a view of Dunkirk, embarked there, landed at Dover the first of November, arrived in London the next day, and on the fourth waited on the queen at Windsor, where he met with a most gracious reception (d).

An

(d) Burnet says, our army continued this winter about Ghent and Bruges; and we kept a sort of garrison in Dunkirk: but that was so ill supplied with artillery and ammunition, that it was visible they were not in a condition to keep the place, any longer than the French were willing to let them stay in it. And,

1712.

Duke Hamilton and Lord Mohun killed in a duel.

An accident happened about this time, which the ministers laid hold of, to improve a private animosity, if not into a conspiracy against the government, at least into a party quarrel. A law-suit, which for about eleven years had been depending between the duke of Hamilton and the lord Mohun, had created a great animosity between these two noblemen; so that, on the 13th of November, at a meeting at Mr Orlebar's, a master in Chancery's chambers in the rolls, the duke having reflected on Mr Whitworth (father of lord Whitworth, late ambassador to the Czar) who was examined as a witness on the lord Mohun's side, saying, He had neither truth nor justice in him; the lord Mohun thought himself obliged to vindicate that gentleman, which he did, by saying, He had as much as his grace. The duke having made no reply, all seemed to end amicably; for they both continued in the same place above half an hour, and, at parting, the duke, going out first, made a low bow to the lord Mohun, who, in like manner, returned his civility; so that none of the persons there present suspected any consequence from what had passed. But, the next day, general Maccartney went twice to the duke of Hamilton's house, with a challenge to him from the lord Mohun; and, in the evening, the duke, accompanied by colonel John Hamilton, went to meet general Maccartney at the Rose-Tavern, and was a few minutes in private with him; whilst the lord Mohun and the colonel were in separate rooms, Mr Maccartney went several times between the duke and lord Mohun; from which, and other circumstances, his enemies took occasion to give out, that he had rather inflamed, than endeavoured to compose the quarrel. But all that can be fairly conjectured is, that the time and place of the duel were there fixed and agreed on. The lord Mohun and general Maccartney lay that night at the Bagnio in Long-Acre; and, on Sunday the 15th of November, about seven o'clock in the morning, went in a hackney-coach to the lodge in Hyde-park, where being soon after met by the duke of Hamilton, and his second colonel Hamilton, they all leaped over a ditch, into a place called the nursery. Lord Mohun would not have had the seconds engage; but the duke insisted, that Mr Maccart-

And, during that time, they were neither allowed to have a place to worship God, nor to bury their dead in, though by a mortality that raged there some thousands died. *Burnet*, II. 615.

ney should have a share in the dance; from whence the general's enemies strengthened their suggestion, that he had been the instigator of the duel. All having drawn, the two principals made such a violent and desperate passes at each other, being rather intent to give than to parry thrusts, that they soon fell down, both mortally wounded; so that the lord Mohun died on the spot; and the duke, as his servants were carrying him to his coach (e). The two seconds did not fight at all, as one of the witnesses deposed, or fought with such caution that colonel Hamilton received only a small wound in the instep, which, he said, happened by his own sword, as he was parrying down a full pass, that Maccartney made at him (f).

The

(e) Burnet, on this occasion, says: I will add no character of him: I am sorry I cannot say so much good of him as I could wish, and I had too much kindness for him, to say any evil without necessity. Nor shall I make any reflections on the deplorable effect of those unchristian and barbarous maxims, which have prevailed so universally, that there is little hope left of seeing them rooted out of the minds of men; the false notions of honour and courage being too strong, to be weighed down by prudent or religious considerations. Burnet, II. 612.

(f) The high church men and the Jacobites were so sensibly touched with the loss of one of their principal champions, that they charged this unfortunate duel on the whole Whig party; suggesting, 'That, having tried all other methods in vain, they returned to their expedient of murder, and employed treachery and violence at once. That their general [the duke of Marlborough] set the example of party duels, which was only to give

' them a sanction; and deputed
' that infamous messenger of
' his challenge to be the general
' bully of the faction. That
' the present lord treasurer had
' almost miraculously escaped
' their last engine of assassination
' [meaning the band-box.] That
' the bravo, Maccartney, who
' depended for his support on
' the lord Mohun, was forced
' to keep up his patron's courage
' with wine, till within a
' very few hours of their meeting
' in the field: and that the
' mortal wound, which the duke
' received, after his adversary
' was run through the heart,
' could not be given by any but
' Maccartney.' This last accusation being like to lay an indelible odium on the Whigs, great industry, and indeed all indirect means were used to propagate the belief of it. In order to that, colonel Hamilton deposed before the privy-council, ' That, seeing lord Mohun
' fall, and the duke upon him,
' he ran to the duke's assistance;
' and, that he might with the
' more easy help him, he flung
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VOL. VI.

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Examiner,
Nov. 20.

1712.
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Examiner,
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1712.

Death and
character of
the earl of
Godolphin.

The earl of Godolphin died of the stone, on the 15th of September, this year. He had served in considerable employments under four princes of very different tempers and designs. Opposite opinions have been delivered of his merit and character. Great abilities and integrity have been ascribed to him by some; while others have freely censured

‘ as he was raising the duke up, ‘ he saw Maccartney make a ‘ push at his grace’. Upon which an advertisement was published by the government, for the discovery of lieutenant-general Maccartney, suggesting, that it had appeared upon oath, that the wound, whereof the duke died, was given him by Maccartney. On the other hand it was alledged, in vindication of the whigs in general, and of general Maccartney in particular, ‘ That the duke of ‘ Hamilton and the lord Mohun ‘ pursued their private animosities, occasioned by the law-suit before-mentioned, which ‘ had been depending many ‘ years; which plainly appeared from the duke’s having ‘ often been forewarned to ‘ avoid the lord Mohun’s company. That the latter might ‘ probably have been inclined ‘ to decide the matter by the ‘ sword, upon an apprehension, ‘ either that the duke would at ‘ last remove the cause to the ‘ house of peers, where he might ‘ hope to supply by friends and ‘ interest what he wanted in justice and equity; or that, upon his return from his embassy in France, he might beg ‘ and obtain from the crown ‘ the late earl of Macclesfield’s ‘ estate, which was the prize ‘ contended for, upon a pretence, that the outlawry a-

‘ gainst that earl was not reversed in due form.’ As to the suggestion, that general Maccartney stabbed the duke of Hamilton, the falsity of that horrid imputation sufficiently appeared, both from the several depositions taken at the coroner’s inquest, and from the reports and declarations of two or three eminent surgeons, who were unanimous, ‘ That the ‘ wound the duke received in ‘ his right arm, and which was ‘ allowed on all hands to have ‘ been given by the lord Mohun, was the immediate occasion of his Grace’s death.’ Colonel Hamilton foully prevaricated at his trial on account of this duel, and persisted in accusing general Maccartney. But his silence at the place where they fought, and where they both continued a considerable time, taking care of their respective principles, raised an unanswerable objection to the colonel’s evidence, and fixed upon him an infamous character, either for charging a murder upon an innocent man, or for suffering the murderer of the noble person, whose second he was, to make his escape, when it was in his power to secure him. Under this just imputation colonel Hamilton lived obscurely the remainder of his days, becoming so odious to all men of honour, that he was

obliged

censured him for notorious defects in the latter, and allowed him to have been great by the chance of place and distinction. The treasurer's staff was attended with the ill-will and aversion of the tories; for his rival, the earl of Rochester, by his turbulent zeal, had gained the highest place in their favour. As he had commonly acted in opposition to the whigs, they likewise entertained great fears and jealousies of him. His whole ministry was embarrassed with both these circumstances; and even prudence, good-temper, and success, could not secure him a general good-will and confidence. However, the objections which have been made to him, will, when every thing is duly weighed, be silenced, or perhaps turned to his advantage. He had concurred with the worst of king Charles II's ministers, and adhered to the last to king James. In these two reigns he gave no opposition; but the same active and passive obedience was not practised by him under king William. This was ascribed to his retaining principles, very inconsistent with an entire approbation of his government; to which has been added a passionate admiration of and attachment to king James's queen. The higher esteem therefore seems due to his memory, when we review his conduct in the fulness of his power: in this situation it will appear, how truly superior he became to all prejudices and prepossessions. His deliberations were constant and determined for our prosperity at home, and our success abroad. If his difficulties and disadvantages, particularly those with the queen, were duly explained, his attention to the welfare of the nation would be the subject of great admiration. The union of the two kingdoms was his work; and, though this transaction has been often condemned by great numbers of both parties, yet that does not lessen the merit of their performance. All

obliged to sell his company in the guards, and died October the 17th, 1716, of a sudden vomiting of blood, which could not be stopped. Strict search was made after lieutenant general Maccartney; and, besides the five hundred pounds promised by the queen's proclamation, three hundred more were offered by the dutchess of Hamilton, as a reward to whom-

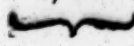
soever should discover him. But Mr. Maccartney having, after the fatal duel, walked to Kensington, and thence to Chelsea, went from thence to the duke of Richmond's house in the Privy-Garden, near Whitehall; lay there that night; and, early the next morning, crossed the Thames; and then, in a disguise, went over to Flanders.

1712.

changes and alterations, tho' conducted with the utmost honesty and skill, must be attended with several inconveniences; and it is too common with mankind to insist only upon these, while they pass over in silence the most substantial advantages. By means of this union, the protestant succession was secured; the influence of France on the affairs of Scotland was much weakened; many occasions of fueds and animosities were removed; and the benefits resulting to the whole island were immediate and important, and likely to be perpetually increasing. Our accounts of the manner of carrying on this affair are not sufficiently full and exact; for which reason the great instrument of it cannot have its just praise. Alliances, and the force of recommendations, imposed upon him in some instances; but his great concern was to employ men of capacity and integrity; and such were sure of his kindest regards. This became the more remarkable, because another great man was not so skilful and cautious, or very unlucky. He had a true sense of the nation's welfare, and of the proper methods of promoting it. Rude and insolent reproaches from a certain quarter, on the account of his former attachments and correspondencies, were clear proofs of his having renounced them. No person was more earnest and skilful in projects for annoying the enemy by attempts on France, Spain, Dunkirk, and the West-Indies; but many of them were defeated by winds, and other accidents. Late and expensive experiments have convinced us of the difficulties and hazards of West-India expeditions; and such attempts became improper, when encouragement was given to send king Charles into Spain. Had we secured that monarchy for the house of Austria, when it was in our power, we should have been intitled to advantages superior to any conquest. The piece upon the management of the war, and the four answers to the conduct of the allies, have clearly proved, that there was no partiality to the duke of Marlborough; but that every part of the war was attended to in the most proper manner; and we have there accounts given of the advantages of the minister's treaties, and our alliances with Savoy and Portugal. Our military co-operations with Portugal were embarrassed with many difficulties and inconveniences. But what must have been the case, had the French party prevailed there? No impressions could have been made on Spain; which would have been a great disadvantage to the common cause. Without their ports, our fleet must have

1712.

have been exposed to many dangers and distresses. The prodigious benefits of the commerce then opened are well known, but have not been sufficiently acknowledged. Those, who study detraction, observe how many circumstances concurred to his successful management of the treasury. The security and safety of the bank, punctual payments, and the ready command of money in the funds, had been experienced several years, and most effectually silenced popular objections. Many defective ways of raising the supply in king William's time had suggested proper methods of caution; but, above all, our great success abroad was the life and support of public credit. But might not our advantages in some degree be ascribed to the treasurer's exact care in payments? By his attention to our trade and commerce, did not he lay the foundation for a due and full supply? When all the marks of prudence and regularity are attended with success, the chief conductor hath a fair claim to a large portion of merit. He is said to have preserved great appearances of wisdom by silence and reserve, which are particulars of behaviour supposed to be inconsistent with a great and generous mind. But this was not owing to any thing mean and unworthy; for in all consultations of business, he discovered a surprising greatness of courage, and a quick and most exact discernment. His kind, equal, and obliging temper endeared his memory to all, who had the pleasure and advantage of his conversation. His behaviour to the queen was so faultless, that, when she was influenced to dismiss him, shame and concern would not allow her to admit him into her presence; and therefore instead of permitting him to resign into her hands the treasurer's staff, a letter was sent to order him to break it. Unbecoming instances of behaviour may be produced in the lives of great men of all ages and all employments. Had this been duly considered, such severe reproaches had not been cast upon this minister for his love of play and horseraces; by which indeed he became too much, and too frequently engaged with the most worthless of men, gamesters and jockies. But after all, when this objection is thoroughly examined, nothing will appear but a faulty choice of improper amusements; and there were no imputations upon him of any fraudulent practices, tho' such were then not unfamiliar to persons of his rank. Nor did his love for these diversions ever draw him off from the duties of his high station. Complaints have perhaps been too justly made against those,

1712.  who have the chief power in disposing of places, that the merit of persons of low rank, though very significant, is seldom duly considered. And therefore instances of this kind should not be deemed the peculiar fault of this great man. His letter to the queen just before his dismissal furnishes us with the fullest ideas of his worth and character; and time hath abundantly verified the representations, which he therein made with dignity and decency, a becoming warmth, and an honest freedom. Such a sense of affairs, and such expressions, could only proceed from a mind truly great and truly good.

The duke
of Marlbo-
rough retires
beyond sea.
Burnet.

Upon his death the duke of Marlborough resolved to go and live beyond sea. He went away in the end of November, and his dutchess followed him in the beginning of February following. This was variously censured; some pretended it was the giving up and abandoning the concerns of his country; and they represented it as the effect of fear, with too anxious a care to secure himself. Others were glad he was safe out of ill hands; whereby, if the nation should fall into the convulsions of a civil war, he would be able to assist the elector of Hanover, as being so entirely beloved and confided in by all our military men: whereas, if he had staid in England, it was not to be doubted, but, upon the least shadow of suspicion, he would have been immediately secured; but now he would be at liberty, being beyond sea, to act as there might be occasion for it.

There were two suits begun against him: the one was for the two and a half per cent. which the foreign princes were content should be deducted for contingencies, of which an account has been given. The other was for arrears due to the builders of Blenheim-house. The queen had given orders for building it with great magnificence; all the bargains with the workmen were made in her name, and by authority from her; and in the preambles of the acts of parliament, which confirmed the grant of Woodstock to him and his heirs, it was said the queen built the house for him. Yet now, that the tradesmen were let run into an arrear of 30,000*l.* the queen refused to pay any more, and set them upon suing the duke of Marlborough for it, though he had never contracted with any of them. Upon his going beyond sea, both those suits were staid, which gave occasion to people to imagine, that the ministry, being disturbed to see so much public respect paid to a man, whom they had used so ill, had set these prosecutions on foot, only to render his stay in England uneasy to him.

The

1712.

The duke set out for Dover the 24th of November; embarked on board the North-Britain packet boat; and, on the 1st of December, landed at Ostend, under a triple discharge of all the cannon on the ramparts. At his landing, he was received by general Cadogan and Brigadier de Caris, governor of the place, and conducted by a vast concourse of people to captain Brown's, where he dined. He supped with the governor; lay that night at the burgo-master's; and, the next day, set out for Antwerp. He was received with extraordinary marks of respect in all the Dutch garrisons, particularly at Maestricht, from whence he repaired to Aix la Chapple. But general Cadogan paid dear for the civilities, he shewed the duke, being soon after dismissed from all his employments.

Upon the death of duke Hamilton, it was for some days uncertain, who should succeed him as ambassador to the court of France, the lord Bolingbroke being very much against the duke of Shrewsbury's being employed in that station; but, however, he was named by the queen for that employment, and went over to France in the end of December. The same yacht, which carried him to Calais, brought over the duke d'Aumont, the French ambassador, who was a good-natured and generous man, of profuse expence, throwing handfuls of money out of his coach, as he went about the streets. He was not thought a man of business, and seemed to employ himself chiefly in maintaining the dignity of his character, and making himself acceptable to the nation.

On the 20th of November, the earl of Stafford was sent back to the Hague with the French plan, which came to be called the queen's new plan of peace (g). The substance

The duke of
Shrewsbury
Ambassador
to France.
Burnet.

The earl of
Stafford
proposes a
new plan of
peace to the
States.
Annals of
Q. Anne.

(g) A deputation being made to him on the 8th of December, N. S. (to whom were added the pensionary and the register Fagel) the earl of Strafford assured them, 'That he was 'never more pleased with being 'there than on this occasion, 'as wishing nothing more than 'to see the antient friendship and good correspondence 'between her majesty and that 'State revived; and flattering

'himself, that as he was charged with orders and instructions, which tended to procure a good peace for all Europe, and the firm security of that state; so a solid and lasting friendship and correspondence might thereby be established between her majesty and their high mightinesses. That he could not forbear saying, he wished the love of war, and the private

1712.

of this plan is contained in the conclusion of what the earl said to the deputies of the states and the pensionary, ' pressing for a speedy resolution, whether the States were willing or not to sign the peace jointly with her majesty, immediately

' interests of some persons, had
' never given occasion for a
' coldness in that friendship,
' which might have proved,
' and still might prove fatal to
' that State, if the last offers
' now to be made on the part
' of her majesty should not be
' accepted. That the reflecting
' on what had passed might
' serve to prevent inconveniences
' for the future, since the refusal
' to agree to the suspension
' of arms proposed by her majesty
' might have brought ruin
' on that State, and had cost
' them so dear; and that there
' was reason to fear much greater
' evils, in case their high
' mightinesses should now refuse
' to conclude the peace jointly
' with her majesty. That the
' last proposition or overture
' about peace, made by their
' high mightinesses, contained
' one point, which was contrary
' to the engagements her
' majesty had before entered into;
' namely, that Sicily should
' be given to the duke of Savoy.
' That, as to some other points,
' insurmountable obstacles had
' now risen, which might have
' been got over, had not so strong
' opposition been made to her
' majesty's measures, and had not
' her majesty been constrained to
' agree separately to a suspension
' of arms. That the irresolution
' of that State had been attended
' by very unhappy accidents; and
' therefore her majesty was very
' desirous they would at length
' come to fix upon some propositions,
' reasonable in themselves, and of
' such a nature, that, in the
' unlucky conjuncture, wherein
' affairs now stood, they might
' be obtained of France. That
' her majesty had given him
' permission to declare further,
' That he well knew her majesty
' was determined to insist upon,
' and even to procure from
' France, the cession of Tournay,
' to strengthen the barrier of
' that state with a place of so
' great importance; but that
' he knew likewise, that her
' majesty's conduct in this
' matter would wholly depend
' upon that of the States: And
' that, after the making so
' considerable a step in their
' favour, it was expected, that,
' on their part, they should
' forthwith concur with her
' majesty in concluding the
' peace, without starting new
' objections, and without making
' other demands. And that
' as soon as that state should
' declare themselves in an
' authentic manner, so that
' her majesty could depend upon
' it; then her majesty would
' cause a declaration to be
' made in full congress, that
' the article of the cession of
' Tournay should be one of
' the conditions of peace, sine
' qua non. That he was
' likewise to inform their
' high mightinesses

1712.

‘ immediately and without delay, for otherwise her majesty
 ‘ would be obliged to sign her peace, without waiting for
 ‘ them to come into it any longer than a fortnight or three
 ‘ weeks at farthest. That her majesty, assuring herself
 ‘ that

‘ mightinesses, that the king of
 ‘ France had made very strong
 ‘ instances for his ally, the elec-
 ‘ tor of Bavaria; and that the
 ‘ least, which his most christian
 ‘ majesty pretended to ask for
 ‘ him, was, that the said elec-
 ‘ tor should continue in the pos-
 ‘ session of Luxemburg, Namur,
 ‘ and Charleroy; subject
 ‘ however to the terms of the
 ‘ barrier for the States-general,
 ‘ till the said elector were re-
 ‘ stored to his electorate of Ba-
 ‘ varia (exclusive of the upper
 ‘ Palatinate) and placed in the
 ‘ rank and dignity of ninth
 ‘ elector. That the king of
 ‘ France would also propose,
 ‘ that the kingdom of Sardinia
 ‘ be given to that elector, for
 ‘ effacing by the title of king,
 ‘ the disgrace and mortification
 ‘ of being degraded from the
 ‘ rank of first elector: and that
 ‘ her majesty judged, that this
 ‘ point might be granted; that
 ‘ so the possession of Tournay
 ‘ may be secured to the States,
 ‘ and a peace made, which will
 ‘ be safe and lasting. That he
 ‘ was also to represent to their
 ‘ high mightinesses, in her ma-
 ‘ jesty’s name, that her majesty
 ‘ was desirous both to re-establish
 ‘ and to maintain an intire union
 ‘ between her and that state;
 ‘ and hoped and assuredly be-
 ‘ lieved, that their High Migh-
 ‘ tinesses were of the same sen-
 ‘ timents with her in this mat-
 ‘ ter. That therefore it was
 ‘ necessary, without any loss of

‘ time, to remove all, that that
 ‘ State might seem to have
 ‘ gained, either to the immedi-
 ‘ ate prejudice, or to the future
 ‘ danger, of her majesty’s and
 ‘ her kingdoms interests. That
 ‘ he had brought with him a
 ‘ plan of a new treaty of suc-
 ‘ cession and barrier; and must
 ‘ insist, that it might be signed
 ‘ before the conclusion of the
 ‘ peace. That, upon a discus-
 ‘ sion of the now existing bar-
 ‘ rier treaty, he would make it
 ‘ appear to the ministers of this
 ‘ State, that many things were
 ‘ therein inserted, which in Eng-
 ‘ land were looked upon as dis-
 ‘ advantageous to her majesty’s
 ‘ subjects, and which certainly
 ‘ could not be reconciled either
 ‘ to the letter, or the design of
 ‘ the grand alliance; nor were
 ‘ conformable to any principles
 ‘ upon which the present confe-
 ‘ deracy was made, and the war
 ‘ begun. That he would fur-
 ‘ ther shew, that the alterations
 ‘ and additions now proposed
 ‘ were only such, as were ne-
 ‘ cessary to rectify the mistakes,
 ‘ and explain what was du-
 ‘ bious, and to supply some
 ‘ omissions in that treaty, and
 ‘ to take away some obstruc-
 ‘ tions thence arising to the
 ‘ commerce of Great-Britain.
 ‘ That, the particular guaranty
 ‘ of the succession and barrier
 ‘ being thus explained and rec-
 ‘ tified, it would not only be an
 ‘ additional security for both
 ‘ nations, and be cordially exe-
 ‘ cuted,

1712.

‘ that the States would not delay to conclude the peace
 ‘ with her, would procure Tournay for them, which, with
 ‘ many other places, were not to be expected from France,
 ‘ if the queen should sign her peace separately. That, as
 ‘ to the empire, there would be no alteration in what is
 ‘ contained in the queen’s speech relating thereto, nor in
 ‘ any thing with respect to the emperor, only that Sardinia
 ‘ should be given to the elector of Bavaria, and that the
 ‘ duke of Savoy should have Sicily. That her majesty was
 ‘ very desirous to have the concurrence of the States in all
 ‘ that related to that duke, as well as to the elector of Ba-
 ‘ varia, and to oblige the emperor to consent to the neutra-
 ‘ lity of Italy, and to withdraw his troops from Catalonia.
 ‘ That she further desired, that the plenipotentiaries of the
 ‘ States at Utrecht might be furnished with full powers to
 ‘ conclude forthwith the new treaty of barrier.’ This new
 barrier treaty, of which he delivered a copy to register Fa-
 gel, and by which the former was to be set aside, was de-
 signed

‘ cuted, whenever the occasion
 ‘ should happen, but would
 ‘ unite the two nations in strict-
 ‘ er bounds of friendship and af-
 ‘ fection: whereas, on the other
 ‘ hand, that state could not but
 ‘ expect a slow execution of a
 ‘ treaty, which, by the British
 ‘ nation, had been declared
 ‘ dishonourable and disadvanta-
 ‘ geous to it. And, in short,
 ‘ that to pretend to hold the
 ‘ said nation under an en-
 ‘ gagement of such a nature as
 ‘ this could have no other ef-
 ‘ fect, than to foment jealousy
 ‘ and misunderstanding, which,
 ‘ one time or other, might
 ‘ break out into an open rup-
 ‘ ture. That among the terms
 ‘ of the new plan, the fourth
 ‘ article of the treaty of barrier
 ‘ imported, that her majesty
 ‘ consented to the States putting
 ‘ garrisons, providing, chang-
 ‘ ing, augmenting, or diminish-
 ‘ ing them, as they should think
 ‘ fit, in the following places;

‘ namely, Furnes, Fort, Knocque,
 ‘ Ypres, Menin, the town and
 ‘ castle of Tournay, Mons,
 ‘ Charleroy, the town and castle
 ‘ of Namur, the castle of Ghent,
 ‘ the forts, Pearl, Philip, and
 ‘ Damme: That fort St Dhona
 ‘ being joined to the fortifica-
 ‘ tions of Sluys, shall be yielded
 ‘ in propriety to the States; and
 ‘ that the fort of Rodenhuyfen,
 ‘ on this side of Ghent shall be
 ‘ razed. That in the ninth ar-
 ‘ ticle it is stipulated, that all
 ‘ the revenues of the places to
 ‘ be yielded up by France,
 ‘ which did not belong to the
 ‘ crown of Spain at the time of
 ‘ the death of king Charles II,
 ‘ shall be given to the State, to-
 ‘ wards maintaining the barrier,
 ‘ except only so much as is ne-
 ‘ cessary for the civil govern-
 ‘ ment of the said towns, places,
 ‘ and castellanies; as also a mil-
 ‘ lion of guilders yearly out of
 ‘ the clearest revenues of the rest
 ‘ of the Spanish Netherlands.
 ‘ That

1712.

signed for drawing the States in the more. By it the States were to maintain the succession to the crown, when required by the queen, but not otherwise. This gave still new occasion for jealousy. For, whereas, by the former treaty, they were strictly bound to maintain the succession, so that they were obliged to oppose any attempts they saw made against it, they were by this treaty obliged to stay till they were sent to: And, if our ministers should come to entertain ill designs that way, they would take care no notice should be given to the States.

The new plan being communicated to the States of the respective provinces, the members of those assemblies were variously affected. The cession of Tournay, after the treasurer and secretary in England had put France upon insisting to have it restored, was a great bait to the Dutch; and the threat, that they would loose it, with several other places, if the queen signed her peace separately, changed the minds of many of them, and disposed them to give a favourable ear to

The States
consent to it.

‘ That what related to Bon,
‘ Huy, and Liege, should be
‘ settled with the ministers of
‘ the emperor and the empire:
‘ but that her majesty’s opinion
‘ was, that the first of those
‘ places should be garrisoned by
‘ the Imperialists, and the o-
‘ ther two by the States.
‘ That, in the last place, not-
‘ withstanding all the provoca-
‘ tions, and all the delays on
‘ the part of that State, the
‘ queen had hitherto kept the
‘ negotiation open: that her
‘ majesty thought she had retard-
‘ ed it long enough, and possi-
‘ bly too long in good policy.
‘ That therefore the offers,
‘ which her majesty now made
‘ by him were her ultimate re-
‘ solutions: and that this was
‘ the last time she would address
‘ herself to their high mighti-
‘ nesses, in case they should
‘ form new delays, and not an-
‘ swer her majesty’s good in-
‘ tentions for their own inte-

‘ rests. That, in the mean
‘ while, her majesty had judged
‘ herself obliged, in considerati-
‘ on of the great services done
‘ by the duke of Savoy for the
‘ common cause, and of the
‘ danger, to which he was ex-
‘ posed by his firm adherence
‘ thereunto, to take care, not
‘ only for his security, but like-
‘ wise for his grandeur, by pro-
‘ curing for him Sicily, and the
‘ tracts of the country on this
‘ side the Alps; which were ne-
‘ cessary to secure Exilles and
‘ Fenestrelles, and to cover
‘ Piedmont. That his succes-
‘ sion, after that of king Phi-
‘ lip, was acknowledged by the
‘ renunciation. That her ma-
‘ jesty desired the concurrence
‘ of this State in all that had
‘ been promised to his royal
‘ highness; and that her maje-
‘ sty desired likewise, that the
‘ States should join with her, to
‘ oblige the emperor to a neu-
‘ trality for Italy, and to with-
‘ draw

1712. to the lord Strafford's proposals. That lord went incognito to Amsterdam, where he had several successful conferences with the leading magistrates. Amsterdam has always great influence on the states of Holland, as the states of Holland have on the States-general, and the disposition of that city is generally a rule for the cities and provinces in the affairs of war and peace. But the states of Utrecht (where the bishop of Bristol was not idle in the absence of lord Strafford) were the first that consented to the new plan, for the peace and the barrier; and nine days after the states of Holland did the same; by which time the other provinces had transmitted their several opinions to the States-general on that subject. All of them were unanimous in one point, to come into the queen's measures, but every province (except Utrecht) gave their consent with some restrictions. Upon this the States, wrote a letter to the queen, signifying their resolution to enter into her measures, and to conclude and sign a peace jointly with her, as also to take with her new engagements on the protestant succession and barrier treaty. However they desired her to interpose for restoring Strasburg to the empire for adding Condé to their barrier, and for settling

Decem. 29.
N. S.

‘ draw his troops from Catalonia: And that her majesty was
‘ resolved to make the neutrality a condition of transporting
‘ the said troops, which her
‘ majesty would do at her own
‘ expence; for, without that
‘ neutrality, the emperor might
‘ disturb all Italy, and particularly the duke of Savoy, on account of his treaty in the year
‘ 1703; one of the imperial ministers having already threatened a minister of the duke of
‘ Savoy therewith, which would
‘ certainly engage the queen
‘ and the States in the troubles
‘ and wars in Italy.’ Then the earl of Strafford communicated to the deputies an answer, on the part of her majesty, to the last memorial of the emperor’s minister in England, by which her majesty’s sentiments in this matter were confirmed. His

lordship further represented,
‘ That her majesty, being informed of the present disorders
‘ in the Spanish Netherlands
‘ had sent over the earl of Orrery to the Hague, to redress
‘ them, to concert thereupon
‘ with the deputies of this State,
‘ and to resume the administration in common with their
‘ high mightinesses deputies,
‘ and to keep the same till the
‘ emperor should accept the
‘ Netherlands on the conditions, which the queen and
‘ their high mightinesses should
‘ agree upon:’ adding, ‘ That
‘ the earl of Orrery had orders
‘ not to do any thing in this affair, but according as he
‘ should find a disposition in
‘ their high mightinesses to act
‘ in concert with the queen.’
Annals of queen Anne.

the

the commerce on the foot of the ancient tariff*; as also for obtaining more reasonable terms for the emperor: But things were so fixed between the courts of France and Great-Britain, that there was no room for intercession. The demand of Straßburg was rejected by the French with so positive an air, that the British court did not move in it more; nor did it appear that we obtained any one condition of the French, but was offered in their own project.

In conclusion, the States were forced to yield in every particular; and then our ministers, to give some seeming content to the nation, and to bring the States into some confidence with them ordered the new barrier treaty to be signed: And it was given out by their creatures, that the French were highly offended at their signing this; making it previous to a general peace, and a sort of guaranty for it. Thus, after all the declamations that were made on the first barrier treaty, the ministers came in to a new one, which, though not so secure as the former, yet was liable to all the objections, which were made against that (h).

The barrier treaty signed.

Soon

(h) Those readers, that desire a larger account of what passed at Utrecht, may see it in the following particulars:

The plenipotentiaries of the four associated circles of Germany laid, the same day, a proposition before the British ministers at Utrecht, wherein they represented, ' That they entered into the grand alliance, upon an invitation of king William, by a solemn treaty concluded at Nordlingen, and afterwards ratified by the present queen of Great-Britain. That the circles had on their part, punctually performed all the conditions of that treaty, and had borne all the calamities of so bloody and ruinous a war at their own expence, without troubling her majesty for one penny subsidy, with an intire confidence, that, as she always declared her satis-

' faction with the firmness and
' conduct of the circles, her majesty would not fail remembering the good services they did the public; and that they should reap the fruits of their labours, sufferings, and expences: But that, notwithstanding her majesty's gracious assurances, they heard with grief, that she persisted in the opinion, that an universal peace might be made, without the circles enjoying the least comfort or effect of their alliance; no amends, no barrier, no security; which would bring the utmost desolation upon the Circles, and leave a fatal remembrance to posterity. Wherefore they made their addresses to the justice and goodness of her majesty, to the wisdom and equity of her ministers, and to the generosity and honour of the whole

Complaint of the four associated circles.

1712.

The king of
Prussia dies.

Soon after the signing of the barrier treaty, the Prussian ministers at Utrecht received advice, that their king, who for some time had been indisposed, but afterwards was thought out of danger, had a relapse and his distemper increased to such a degree, that on the 25th of February, about noon, he expired as he was speaking to the prince his son, and some of his ministers; having preserved his senses to the very last. He was in the fifty-sixth year of his age, the

Answer of
the British
ministers.

‘ whole English nation, not to
‘ abandon so good and faithful
‘ allies, nor leave them in the
‘ miserable condition, in which
‘ they had been plunged by for-
‘ mer treaties.’ To this repre-
‘ sentation the British ministers
‘ returned the following answer,
‘ That if the associated Circles
‘ did not obtain all they desired,
‘ and all her majesty could
‘ wish them, the blame was by
‘ no means to be laid at her
‘ door: First, because, during
‘ the war, the empire had very
‘ much neglected the prosecution
‘ of it on that side; and the
‘ emperor and other princes and
‘ states had been very deficient
‘ in furnishing their respective
‘ quota’s of troops, and other
‘ necessaries; which if they had
‘ done, the war had been long
‘ since at an end, and they in
‘ possession of that, which was
‘ now impossible to obtain:
‘ But that they had left the
‘ whole burden of the war to
‘ fall upon her majesty and the
‘ States General in Flanders;
‘ the getting whose money, by
‘ exorbitant bargains for their
‘ troops, they seemed to have
‘ more at heart, than the pro-
‘ viding their contingents for
‘ their own army. That, be-
‘ sides their negligence and re-
‘ missness in the prosecution of
‘ the war, the opposition, they
‘ had made to her majesty’s
‘ measures for peace, had put it
‘ out of her power to serve
‘ them. That, when a cessati-
‘ on of arms was found necessa-
‘ ry, they were told from her
‘ majesty, that, if they should
‘ enter into it, the allies being
‘ united in their councils, might
‘ have obtained from the ene-
‘ my any thing they could rea-
‘ sonably have insisted upon;
‘ but that they rejected that
‘ proposal, and deserted her
‘ majesty, to follow prince Eu-
‘ gene’s chimerical projects,
‘ which had already been, and
‘ might prove more fatal to the
‘ common cause, if they did not
‘ prevent another campaign by
‘ reasonable proposals of peace.
‘ That her majesty’s case was
‘ therefore very hard, that,
‘ while she prosecuted the war
‘ with the utmost vigour, some
‘ of the allies acted with almost
‘ as much coldness and indiffer-
‘ ence, as if they had been at
‘ peace, or had no concern in
‘ the war; and, when she found
‘ a peace necessary, they should
‘ then only begin to think of
‘ war: And, after all, when by
‘ this unaccountable way of
‘ acting, they had brought
‘ themselves into inextricable
‘ difficulties, they should cry out,
‘ that they were deserted, and
‘ endeavour to throw the odium
‘ and

the twenty-fifth of his government, as elector of Brandenburg, and the thirteenth of his reign as king of Prussia. Four days before his death he gave a signal instance of his compassion for the persecuted protestants of France, whom he recommended to the queen of Great-Britain's protection by a very moving and affectionate letter. He was a virtuous man, and full of zeal in the matters of religion. He raised above two hundred new churches in his dominions. He was weak, and much in the power of his ministers and flatterers ;

His character. Burnet,

' and blame of it upon her, ' But, that, nevertheless, she ' would still do for the four ' Circles, as well as for the rest ' of her allies, all that she was ' obliged to by treaty, and ' whatever more they had, by ' their conduct left in her power.' Both from this answer, and the late steps of the States, it was generally believed, that the negotiations at Utrecht would speedily be brought to a conclusion: But some unforeseen difficulties, started by the court of France, made it necessary to renew the cessation of arms for four months longer; which was done by an agreement signed at London the 26th of November, and Versailles the 14th of December, N. S.

The marquis de Monteleone, appointed by king Philip to be one of his plenipotentiaries at Utrecht, being about this time come to London, and the queen returned from Windsor to St James's, he had the next day a private audience, wherein he told her, ' That his master had ' sent him to return her a thousand thanks for the great pains ' she had been pleased to take ' to procure peace to Europe, ' And that the whole Spanish ' nation in particular owed

' their lives to her majesty ; ' for, had the war continued, ' there was not one true Spaniard, who would not have ' spent the last drop of his ' blood in his master's quarrel.' The queen thanked her brother, the king of Spain, for this compliment, and said, ' She thought ' herself very happy in being ' able to contribute to the safety of so brave a nation and ' so loyal a people.'

In the mean time, the queen being informed, that the electoral prince of Saxony was expected at Rome in order to make there public profession of the popish religion, she thought proper to renew her good offices with king Augustus, to persuade him to recall his son out of Italy, and dismiss the popish servants about him; and at the same time invited the king of Prussia, the elector of Hanover, and the States-General, to join their efforts with her's to engage his Polish majesty not to induce his son to change his religion. But all these endeavours were rendered fruitless by the powerful allurements offered by the Roman catholics to engage the young prince, namely, the prospect of a marriage between him and one of the archduchesses, which

The cessation of arms prolonged.

The queen tries to prevent the prince of Saxony turning papist.

Monteleone comes to London. Dec. 3.

1712.

flatterers; but was so apt to hearken to whispers, that he changed twice the whole set of his ministry. His assuming the title of a king, and his affecting an extraordinary magnificence in his court, brought a great charge on himself, and on all about him, which made him a severe master to himself, and set him on many pretensions, chiefly those relating to the prince of Friseland, which were not thought well grounded. He was succeeded in his dignities by his only son, father of the present king of Prussia.

Though

which would open him the way to the imperial throne, in case the present emperor should die without male issue.

Negotiations
at Utrecht.
Annals.

The express sent by count Zinzendorf to Vienna, with the queen's last plan of peace, being returned to Utrecht on the 3d of January N. S. the emperor's plenipotentiaries had, at their own desire, a long conference with those of Great-Britain, in which they declared, that their master was very well disposed to promote a general peace; and the same day they acquainted also the ministers of the States with the emperor's intentions. The ratifications of a treaty for a suspension of arms between France and Spain on the one side, and Portugal on the other, were now exchanged, having been delivered into the hands of the British plenipotentiaries, who long before this time had little else to do in the congress, than to act as mediators. In this capacity they had, on the 8th, a long conference with the plenipotentiaries of France, in which they delivered to them the draught of a project for bringing the empress home from Barcelona, and withdrawing the imperial troops out of Catalonia. On the 15th count Zinzendorf had a long confer-

ence with the Portuguese ministers, about the terms of peace offered by France to that crown, which the emperor did not intirely approve. The marshal de Bieberstein arrived at Utrecht the 17th, from the court of Berlin had a long conference with the earl of Stafford, by particular orders from the king of Prussia his master. The same day the ministers of France were in conference with those of Great-Britain; and the next day monsieur Buys was also with the British ministers, by whose interposition the difference between monsieur Mesnager and count Rechteren was brought into a fair way of being accommodated, in order to the resuming of the general conferences. There was also that day a consultation at the bishop of Bristol's house, between the protestant ministers, about the abolition of the clause relating to religion in the fourth article of the treaty of Ryswick, and the measures to be taken, that the Protestants in Silesia and Hungary might for the future enjoy intire liberty of conscience. The ministers of Great-Britain pressed this affair more earnestly than all the rest, and exclaimed against the imperial court for prosecuting the protestants

Though the treaty of peace was now almost concluded, yet the advantages, which Great-Britain was to expect from her endeavours to assist and support the cause of France, were in a great measure unsettled and undetermined. France began to cavil, and, as lord Bolingbroke said, go back from what the king had promised the queen; and his lordship could not be persuaded, as he told Mr Prior, 'That the French acted either fairly or wisely. They

1712.

The French try to elude their engagements to Great-Britain. Rep. of the com. of secr.

press

stants of the empire and Hungary. But they spoke in a less vehement stile of the persecutions, which the protestants had suffered in France. Soon after the British plenipotentiaries conferred with the imperial ministers, who seemed at last inclined to come into the queen's measures for procuring a general peace. To that end, count Zinzendorf drew up some proposals for setting on foot a negotiation between the imperial and French ministers, which were delivered to the latter by the lord privy-seal, who the next day acquainted that count and baron Kirchner, how far they had proceeded in that affair. The plenipotentiaries of Prussia had also a long conference with the British ministers, in which they expressed their master's inclination to conclude a peace, whenever the queen should think fit. On the other hand, the ministers of Savoy returned thanks to the British plenipotentiaries on the behalf of their master, for the great care, that had been taken of his interests; and gave assurances, that they were ready to concur in whatever steps the queen of Great-Britain should judge proper for the bringing the peace to a happy conclusion.

VOL. VI.

All this while the ministers of Annals. the protestant powers continued their private consultations about the abolition of the clause relating to religion, in the fourth article of the treaty of Ryswick; and were very pressing with the Roman catholic ministers on that affair. But the imperial and French plenipotentiaries (agreed, perhaps, in this point only) found means to draw it out into length, referring it from the one to the other. The former pretended, it was the French inserted that clause into the treaty, and therefore ought to get it abolished: To which the French answered, 'That, it being an affair, which concerned the empire, it was the business of the imperialists to look after it.' The Roman catholic ministers of the empire having demanded, that the protestants should, by a deputation, communicate to them the resolution they had taken about that affair, the counts Wertheren and Metternich were named to represent to them the justice of abolishing that clause, and put them in mind of the disputes, jealousies, and other ill consequences, with which it had been attended in the empire. Count Zinzendorf signified, he was ready to return them an answer on

D

the

1712. **{** ‘ press us, says he, to conclude, that they may have others
 ‘ at their mercy ; and at the same time they chicane with
 ‘ us concerning the most essential article of all our treaty,
 ‘ and endeavour to elude an agreement made, repeated
 ‘ and confirmed.’ The two great points of moment, in
 dispute, were concerning the fishery at Newfoundland, and
 in what manner the cession of Cape-Breton was to be
 made. The other was about the treaty of commerce. As
 to

Jan. 25.
 N. S.

the part of the emperor ; and, a meeting being held for that purpose, he assured them, ‘ That
 ‘ his master did not intend to
 ‘ oppose the abolition of the
 ‘ clause, but would acquiesce in
 ‘ the relief, that should be
 ‘ given to the protestants in a
 ‘ general treaty of peace.’

The same day the queen of Great-Britain’s answer to the letter of the States-General arrived at the Hague, but, being directed to her plenipotentiaries at Utrecht, it was not brought to the assembly of the States till the next day, when it was read there, and also in the assembly of the States of the province of Holland, wherein were the following paragraphs :

‘ By the real and solid proofs
 ‘ we have given of our friendship
 ‘ ship for your state ; by the
 ‘ continued efforts we have
 ‘ made to defeat the intrigues
 ‘ of those, who, either through
 ‘ private passion or interest,
 ‘ have endeavoured to divide
 ‘ you from us ; and, lastly, by
 ‘ the grief we have been afflicted
 ‘ with, when any attempt
 ‘ has been made to break the
 ‘ good intelligence, that was between
 ‘ us and your republic,
 ‘ it will be easy for you to

‘ judge of the satisfaction, which
 ‘ your letter of the 29th past
 ‘ has given us.

‘ Our conduct has ever run
 ‘ upon the constant principle of
 ‘ a sincere desire of preserving
 ‘ the balance of Europe, and
 ‘ to procure, not only the safety,
 ‘ but also the augmentation
 ‘ of your state.

‘ Your resolution to enter
 ‘ with us into new engagements
 ‘ about the succession and barrier,
 ‘ to make a new treaty
 ‘ thereupon, and to conclude
 ‘ and sign it before the peace,
 ‘ cannot but be attended with the
 ‘ best consequences. And, when
 ‘ all occasions of dispute about
 ‘ the reciprocal interests of the
 ‘ two nations shall be removed,
 ‘ we shall then be in a condition
 ‘ to concert with you the providing
 ‘ for those of our allies,
 ‘ and to treat more effectually
 ‘ with the potentates, against
 ‘ whom we have made war.

‘ The declaration you have
 ‘ lately made, that you are resolved
 ‘ to join with us, to enter
 ‘ into the measures we have
 ‘ taken for a peace, and to
 ‘ conclude and sign it jointly
 ‘ and at the same time with us
 ‘ will, in some measure, make
 ‘ amends for the misfortunes
 ‘ that have been occasioned by
 ‘ the disunion of the allies, and

to the first, it is to be observed, that, in the queen's instructions to the duke of Shrewsbury, he is directed to propose, as the queen's last resolution, that she will consent to give and yield up to his most christian majesty the entire possession and propriety of the island of Cape-Breton; but, with this express condition, that his majesty shall, on his part, in consideration of the same, relinquish all manner of right to fishing and drying fish on the coast of Newfoundland,

' prevent those, that were to
' be feared for the future.

' We shall take your interests to heart equally with our own; and we shall be ready to do all that lies in our power to advance them, being sorry, that we are not in a condition to support both yours and those of our common allies, as effectually as we could have done the last spring. Done at our court at St James's the 17 of January 1712-13.

ANNE REGINA.

This letter quickened the paces of the negotiation; but, previous to the general conferences, it was absolutely necessary, that the difference, which had so long obstructed them, should be adjusted; which, by the mediation of the British ministers, was at last brought to pass on the 29th of January in this manner: Three of the plenipotentiaries of the States, viz. monsieur Vanderdussen, the baron de Renswoude, and count de Kniphuysen, went to the marshal d'Uxelles's house; where, in the presence of the three plenipotentiaries of France, they were to declare, that the dispute between monsieur Mesnager and count de Rechteren had hap-

pened without the knowledge or approbation of the States General. But monsieur Vanderdussen, who was the spokesman, had scarce with gravity pronounced these words, 'Our masters, the States General,' when the marshal d'Uxelles interrupted him, and told him, 'Sir, the king, my master, is thoroughly persuaded, that messieurs the States General had no knowledge of monsieur de Rechteren's behaviour; and that they have too much respect for his majesty to approve it.' This difficulty being removed, the Dutch plenipotentiaries went to the lord bishop of Bristol's house, where they were in conference with him and the earl of Strafford from eleven at night till between four and five the next morning, when the new treaty of barrier and succession was signed by the ministers of Great-Britain, and those of the States-General; and, about an hour after, Mr Harrison was sent over to England with it, for her majesty's ratification and approbation of some explanations, that were inserted by the Dutch plenipotentiaries. The next day, January the 31st, the emperor's plenipotentiaries had for the first time a private conference with

1712. land, or any part, reserved to his subjects by the articles signed at London the 27th of September, and 8th of October, 1711.

Several representations were sent backward and forward, shewing the fatal consequences of what was demanded by France: and though lord Bolingbroke, in his letter to Mr Prior of the 19th of January, 1712-13, insisted, that the queen had never yielded what France pretended to, which then remained an unsurmountable difficulty; yet, in his

those of France at the bishop of Bristol's house, where an agreement was proposed concerning the transporting of the empress, the evacuation of Catalonia, and the amnesty for the Catalans: so that all things seemed now to tend to a general peace.

On the 4th of February, N. S. the plenipotentiaries of France and Prussia met, for the first time, at the lord privy-seal's house, and the following days the ministers of the emperor and the queen of Great-Britain had several conferences together, in which count Zinzendorf communicated a second plan, which was said to come very near the contents of the queen's speech from the throne. The 9th the plenipotentiaries of France were in conference with those of Portugal, and afterwards with the ministers of Savoy, at the house of the lord privy-seal. But the negotiations were for some days put to a stand by the sudden departure of the abbot de Polignac, who the night between the 10th and 11th of February set out for the court of France, on pretence of his being lately named cardinal by the pope, at the recommendation, as was said, of the chevalier de St George. Before his departure, he receiv-

ed from the British plenipotentiaries a proposal of the emperor and empire, importing, 'That Catalonia should be evacuated, upon condition, that the inhabitants had a full pardon, and a confirmation of all their privileges. That the elector of Bavaria should have the title of king, but not the island of Sardinia; and that his electorate (but not the Upper Palatinate) should be yielded to his electoral highness's son; so that he himself should not set foot in the empire. That the electorate of Bavaria should be the last of the nine. That Landau should remain to the empire: and, in the last place, that France should demolish Saar-Louis, and several other places.' Which monsieur de Polignac promised to lay before the king his master.

The plenipotentiaries of France had almost from the beginning of the negotiations demanded passports of the Dutch for the admission of the duke of Ossuna, the marquis de Monteleone, and the count de Berghyck to the congress, as plenipotentiaries of Philip V. king of Spain; which the States General had still declined to grant, for fear of disobliging the emperor,

his letter to the duke of Shrewsbury of the same date, he tells him, ' If the French close with the overture he then made them with regard to the disputes concerning commerce, the queen is willing to accept the last expedient, proposed by monsieur de Torcy for adjusting our differences about North-America, and to consent, that the king, in the cession of Newfoundland, do reserve to his subjects a right of fishing and drying on the coast of Newfoundland from Port Riche, north about, to Cape Bonavista.' And here no direction is given concerning Cape-Breton, of which the French got the entire cession and propriety, although, in the duke of Shrewsbury's instructions, it is declared, ' That the queen looked upon Cape-Breton to belong to her; and reckoned that island a part of the ancient territory of Nova Scotia, which is by this treaty restored to her.' But, if the duke could not prevail upon them to agree with him in the article of commerce, he was to declare, that neither would the queen agree with them in their proposition concerning Newfoundland. As to commerce, the great dispute about it is thus represented in the lord Bolingbroke's letter to the duke of Shrewsbury: in Torcy's answer to lord Bolingbroke's memorial of the 24th of May, 1712, it was, among other things agreed, that Britain and France should grant to the subjects of each reciprocally the same privileges and advantages, which they shall either of them grant to the

peror, with whom it was their interest to keep firmly united. But the imperial ministers having by this time consented, in their master's name, to the evacuation of Catalonia, and neutrality in Italy, which was a kind of tacit acknowledgment of king Philip's title to the crown of Spain and the West-Indies; the States-General, by the mediation of the British ministers, were at last prevailed with to grant the passports. The passports, which the French plenipotentiaries demanded also for the electors of Cologne and Bavaria, were granted with less difficulty, and delivered to them about the middle of March.

The courier, sent to the French court, being come back to Utrecht, the negotiation for evacuating Catalonia, and for a cessation of arms in Italy, was on the 19th of February set again on foot. On the 27th the imperial and French ministers were together in conference, in the presence of the British, by whose mediation, they at last agreed upon the subject of evacuating Catalonia, and a convention was ordered to be drawn up for that purpose. On the second of March, the ministers of France and Savoy conferred about a convention for the neutrality in Italy. See *annals of queen Anne*.

1712.

subjects of any other nation whatsoever. Upon this foundation was established the principal of treating and being treated, as gens amicissima; and, pursuant to this principle, the tariff of 1664, which was granted to Holland (except the four species of merchandize) was likewise to be granted to England; and by the eighth and tenth articles of the project of the treaty of commerce it was so settled. But France, pretending now, that this tariff would be too beneficial to the English, refused to grant it, till another tariff should be made in Great-Britain, exactly conformable to that of 1664, whereby the British duties should be reduced as low as theirs were in France by that tariff. ‘ This (lord Bolingbroke in his letter to the duke of Shrewsbury says) is an open violation of faith; and ‘ by this (adds he) they are removing a corner-stone, ‘ which was laid early in the foundation of a building ‘ brought almost to perfection; the fall whereof must prove ‘ at last of as fatal consequence to them as to us.’ He confesses, ‘ I was strangely surprised, when I saw the precedent of the Ryswick treaty quoted, to persuade us to refer our commerce, as the Dutch then did theirs, to commissioners, to be treated of after signing the peace. The ‘ behaviour of the French on that occasion has given us ‘ warning; and it is from thence we have learned, that ‘ whatever is referred is given up; and they must have a ‘ mean opinion of those, whom they would persuade to ‘ pursue the same method to get the tariff of 1664, by ‘ which the Dutch then lost it.’ But it is very remarkable, that his lordship on the 24th of May, had himself proposed, ‘ That, several points relating to commerce, requiring a ‘ longer discussion than that crisis would admit, committees should be appointed to settle and adjust the differences.’ Indeed in his letter to the duke of Shrewsbury, he offers an expedient, which was to solve all the difficulties; and tells his grace, ‘ I am commanded to acquaint ‘ you, that, having fully opened to the French ministers ‘ her majesty’s sense of the king’s engagements to her upon ‘ this head, you are to propose to them, to strike out of ‘ the project of the treaty of commerce the ninth and tenth ‘ articles, and, instead thereof, to insert one to the effect ‘ of that, which I have drawn, and which comes here inclosed.’ And, as the acceptance of this amendment was to put an end to all differences, and, at the same time, gave such ample advantages to France, the French readily agreed to it; and inserted this article verbatim, as it was

sent;

Jan. 19.
O. S.

sent, in the treaty of commerce, which makes the ninth article of the treaty, as it now stands, and is the same, that was afterwards rejected by the parliament. And this article, which has been since so universally condemned, appears to be the work of the English ministry, and the price, for which they sold to France the fishery of Newfoundland.

This treatment of France could not but give the ministry the greatest uneasiness, though their apprehensions, lest the circumstances they were in should be known, far exceeded their concern at the disappointment, which Great-Britain was like to meet with. They had signed a separate treaty with France in September 1711, upon this single principle, that the interests of Great-Britain were in the first place to be adjusted; and, as long as they had this to say, they were unconcerned at all other events. They had gone on for fourteen months together, and acted in every thing as the instruments of France, and were at last in danger of being disavowed by France in the most essential part of all their treaty. One of the chief inducements and principal conditions, upon which the fatal cessation of arms was granted, was, that no privileges or advantages relating to commerce with France shall be yielded to any foreign nation, which shall not, at the same time, be granted to the subjects of her Britannic majesty; but France had now reaped the full benefit of the suspension, and were at liberty to dispute the principle of *gens amicissima*.

In these circumstances were the English ministers in January 1712-13; and to extricate themselves, they gave up all points in dispute in North-America, and the fishery of Newfoundland, upon the single consideration of the ninth article of the treaty of commerce, which (as will be seen) the parliament, with a just indignation, rejected. However, to bring France to a compliance, even upon these conditions, the duke of Shrewsbury, in the same letter, was instructed to prevail with France to come to this resolution, without the loss of one moment's time. The parliament was suddenly to meet; and it would be necessary for the queen to communicate to both houses the present state of the negotiation. The duke is then to represent to Torcy, How smoothly every thing would glide along, if the queen was able to speak of her own interests as absolutely determined with France; and, on the other hand, what travails we shall be exposed to, and what confusion may arise, if our negotiation appears to be still open, and

1712-13. if the secret comes to be divulged, that France refuses to make good in the treaty the full effect of former promises to the queen. His lordship having finished what he had to say concerning her majesty's particular interests, he proceeds upon the general plan of peace, and instructs the duke what he was to inform the French ministers would be the measure of her majesty's conduct, and what they might expect from her. 'That as the French ministers desire, that the queen would precipitate the conclusion of her peace, and leave all the confederacy at their mercy; they must be told, that, when the mutual interests of France and England are settled, as they will be, if the propositions contained in the first part of this letter are accepted, the plenipotentiaries of Great-Britain shall publicly declare in the congress, that they are ready to sign with those of France, and shall call upon the allies to quicken the negotiations, and conclude without loss of time. But, if they seek unnecessary delays, or make unreasonable demands, her majesty, who had induced them to treat, will, by the same measures, engage them to conclude, or at least she will sign without them. And, the queen having once declared her interests to be settled, and her treaty ready to be signed, the general peace becomes from that moment sure, and the remainder of the negotiation easy. It is therefore wise for the French to comply with her majesty.'

The great distraction, the ministry was in, appears sufficiently from this long letter of lord Bolingbroke's to the duke of Shrewsbury; but still more, from two letters written by him about this time, and upon this subject, to Mr Prior; one of January the 19th, the other of the 22d, O. S. The first was of the same date as his letter to the duke, wherein he says to Mr Prior, 'I have exhausted all my stock of arguments in the long letter, which, by the queen's order, I write to the duke of Shrewsbury. To you I can only add, we stand upon the brink of a precipice, but the French stand there too. Pray tell monsieur de Torcy, from me, that he may get Robin and Harry hanged; but affairs will soon run back into so much confusion, that he will wish us alive again. To speak seriously, unless the queen can talk of her interests as determined with France; and unless your court will keep our allies in the wrong, as they are sufficiently at this time, I foresee inextricable difficulties. My scheme is this: let France satisfy the queen; and let the queen

'imme-

‘ immediately declare to her parliament, and in the con- 1712-13.
 ‘ gress, that she is ready to sign; and, at the same time,
 ‘ let the French plenipotentiaries shew a disposition to con-
 ‘ clude with all the allies.’ And then he enumerates
 the several offers, which he would have France to make
 to the several allies; and, though these were very general
 and insufficient, he says, ‘ If such overtures as these
 ‘ (made to the allies) were not instantly accepted, our
 ‘ separate peace would, the parliament sitting, be ad-
 ‘ dressed for and approved; and the cause of France, for
 ‘ once, become popular in Britain. If they were accept-
 ‘ ed, let monsieur de Torcy sit down, and consider what
 ‘ a bargain would be made for France. Let him remem-
 ‘ ber his journey to the Hague, and compare the plans of
 ‘ 1709 and 1712. Monsieur de Torcy has a confidence in
 ‘ you: make use of it once for all upon this occasion, and
 ‘ convince him thoroughly, that we must give a different
 ‘ turn to our parliament and our people, according to their
 ‘ resolution at this crisis.’ The next letter from lord Bol-
 lingbroke to Mr Prior was upon the same subject, and of
 the same strain: ‘ We are now (says he) at the true cri-
 sis of our disease: We die at once, or recover at once.
 Let France depart from that shameful expedient, by
 which they thought to bubble us out of the advantages,
 which they had solemnly yielded, and all is well; other-
 wise, by God, both they and we are undone. The queen
 can neither delay the meeting of the Parliament longer
 than the 3d, nor speak to the houses till we hear from you.
 My compliments to monsieur de Torcy. Let him know,
 that, if they do not agree with the queen, I may, perhaps,
 be a refugee. If I am, I promise before-hand to behave
 myself better in France, than the French refugees do here.
 Make the French ashamed of their sneaking chicane. By
 heaven, they treat like pedlars, or which is worse, like at-
 tornies.’

As all these publick transactions passed through the hands
 of lord Bolingbroke, who, although he was secretary of state,
 acted extra-provincially in all his correspondence with
 France; so it appears, at the same time, that he was not
 the only person in the secret, but that a greater influence
 chiefly directed and governed all these councils; and the lord-
 treasurer was in this transaction, as well as in the affair of
 Tournay the chief conductor; as may very reasonably be
 concluded from several letters, which Mr Prior wrote about

this

1712-13, this time to his lordship, though that gentleman did not think fit to produce afterwards to the committee of secrecy one letter from his lordship to him. It is observed, that these letters to the lord-treasurer were chiefly wrote on the same days, that Mr Prior sent dispatches to the secretaries of state, giving an account of his proceedings, and desiring the queen's directions upon them; but, it seems, he did not think that sufficient, without knowing his lordship's particular pleasure upon them. Mr Prior's dispatch to the secretary's office, giving a full account of the present state of the treaty, together with several papers, memorials, and propositions relating to the points in dispute, and concerning commerce and North-America, is dated December 28, 1712. The day after Mr Prior wrote to the lord-treasurer, and told him, 'I have written a book instead of a letter to my lord Bolingbroke, which I desire your lordship would be pleased to run over, that, knowing what I have done, you may honour me with your commands as to what I am to do.' He hoped his proposal about Newfoundland, which he sends his lordship inclosed, was such as may terminate that affair to our advantage; and, if his lordship was of the same opinion, he should have entire satisfaction.

On the 8th of January 1712-13, Mr Prior, having sent another full account in form to the secretary of state, wrote the same day to the lord-treasurer, that he had been in conference with the French ministers to adjust the points undecided between her majesty and the king of France; that he had sent lord Bolingbroke the result of those conferences, as well what was agreed to by the French ministers, as his own remarks upon each particular head, and says, 'I hope your lordship will find the whole adjusted so far to your satisfaction, as that our plenipotentiaries may receive the final orders. I will not doubt, but the whole affair of Newfoundland is adjusted to your desire. There were some points insisted upon by our plenipotentiaries, which the ministers here thought very unreasonable; and to say a truth to my lord-treasurer plainly, which I a little mitigate to my lord Bolingbroke, I think not very reasonable.' He then gives an account, that Torcy was surpris'd, that the Dutch had but in part complied with what the earl of Strafford declared to them to be her majesty's resolutions, to which he hopes the queen will send such an answer, as may cut off all delays; and, upon this occasion Mr Prior says to the lord-treasurer, 'This I only

only write to your lordship, it being a thing, that should
 not be called in council; and I have promised, that the
 king should have her majesty's answer upon it, as he de-
 sires.' January 19, 1712-13. N. S. Mr Prior writes
 again to the lord-treasurer, and acquaints him, ' That
 the duke of Shrewsbury now sends to lord Bolingbroke
 the substance of their last conferences with monsieur de
 Torcy, upon the subject of Newfoundland; to which I
 take leave to add, That your friend Torcy is in the last
 concern to find the duke's instructions so strict in a
 point, which cannot be given up by France, at a time,
 when we well hoped that difference was adjusted. Pray,
 my lord, let us have your distinct and positive orders
 hereupon by the first. I send your lordship inclosed a
 copy of my letter to my lord Bolingbroke; and the duke
 of Shrewsbury desires, that we may have your orders to
 finish. I believe Torcy writes himself to you.' On the
 23d of the same month, N. S. Mr Prior writes once more
 to the lord-treasurer, and tells him, ' I have already wrote
 so amply to your lordship on the two great points of
 Newfoundland and the Tariff of 1664; and so expect
 daily your last orders upon these two points, that I will
 not trouble you at present further than to say, if these
 two are settled, the peace may be determined here to-
 morrow, and sent the next day to Utrecht to be signed.'
 And, on the 2d of February, Mr Prior writes to his lord-
 ship, ' If I desire you to write to me, it is, because I
 really think it for the queen's service, that in this great
 post, where you have put me, I may be able to say, I
 have the immediate commands of my lord-treasurer;
 and, in regard to that friendship, with which you have
 so publicly honoured me, and which, by the bye, does
 all the business here.' And, on February the 4th, ' I
 shall direct myself as you shall be pleased to instruct me
 privately.'

If the committee of secrecy had found, among the pa-
 pers delivered by Mr Prior, the lord-treasurer's answers to
 these letters, it is highly probable, that it would have ap-
 peared from them, how far the giving up the fishery of
 Newfoundland, and the accepting of the ninth article of
 the treaty of commerce, was owing to his immediate or-
 ders. It seems however to be a very extraordinary pro-
 ceeding, that the queen's ministers in France acting by
 her authority, and under her instructions, should apply to
 the lord-treasurer for his distinct and positive orders to re-
 lease

1712-13. leave them from the queen's positive instructions, because they are thought by the French ministers to be too strict. And if it be a doubt, by whose order or advice it was procured, so much is certain, that these applications had their desired effect; and the Newfoundland fishery was given up; and the advantages, which Great-Britain was to receive from being treated upon the foot of gens amicissima, were all buried in the ninth article of the treaty of commerce.

The difficulties relating to North-America and commerce being in this manner determined, France was wholly intent upon concluding and signing with Great-Britain, without taking in the rest of the allies; and in this they had the good-fortune to have the concurrence and assistance of the British ministry. By good management, the dispute raised at Utrecht had been so ordered, that the ministers of the allies could not obtain any conference with those of France, till the points in difference were adjusted between England and France; by which means it was February 1712-13, before the Dutch and French were suffered to meet. And, it being now the business of France to conclude with England separately, the temper, the French plenipotentiaries appeared in, made all business so impracticable, that the British plenipotentiaries were under a necessity of complaining of it to lord Bolingbroke, and to acquaint him, February 3, 1712-13: 'The French appear so very uncomplying in every point debated, and so very froward and positive in their refusal of a great many things, which the Dutch took to be granted and settled, as well by her majesty's speech, as the declarations lately made by lord Strafford, that the disappointment they met with put them into the greatest consternation. Reason was also given us to participate in these discontents, and to regard several things, which appear contrary to what her majesty has declared, as very unfair: Yet all that could be said, prevailed not.' But it is not surprising, that the instances of the British plenipotentiaries had so little effect with the French, who then expected, that orders should be sent to the British ministers immediately to sign the peace, which, according to their expectation, were sent February 20, 1712-13, by St John, brother to the lord Bolingbroke, to conclude and sign with France as soon as the duke of Shrewsbury should send them advice, that the propositions he was to make at the French court were accepted; and, on the

28th, lord Bolingbroke with the utmost joy acquainted them ' That he had received from the duke of Shrewsbury the expected returns, and which he doubted not ' would have reached their lordships. He had therefore, ' without staying to enter into any other detail, dispatched ' a courier to them, to renew those instructions, which he ' hoped were clearly enough signified in those papers, ' which his brother carried. He acquaints them, that the ' duke of Shrewsbury had declared, that their lordships had ' orders, in case the French complied, as they now actually have done, to sign her majesty's peace with France ' without farther delay; and that his grace had also declared, that in this case her majesty would open the parliament, by telling them, she had made a peace with France. These two considerations, his lordship says, ' were perhaps the most prevalent inducements to the ' French court, to come roundly into her majesty's propositions; and the queen thinks herself, for this reason, ' still the more obliged punctually and religiously to fulfil ' these promises. The latter she will herself perform on ' Tuesday; and the former, it is her positive command, ' that your lordships make good as fast as the necessary ' forms of preparing and executing the instruments will ' allow. And his lordship looking upon it now, that the ' chief difficulties, relating to the treaty of peace, were removed; as likewise in the treaty of commerce, by the ' article drawn by himself, and proposed by the duke of Shrewsbury, he gives them positive orders, without any ' delay, to execute the treaties of peace and commerce ' between Great-Britain and France.' On the 7th, and on the 20th of March, O. S. Lord Bolingbroke repeats these positive orders, and insists, that the peace should be concluded with that precipitation, which her majesty would have used.

The court of France, being acquainted with these good dispositions of the English ministry, thought proper now to comply with the duke of Shrewsbury's demand, that the dukes of Berry and Orleans should make a solemn renunciation to the crown of Spain in the parliament of Paris, in like manner as king Philip had renounced the crown of France in the cortez of Spain*. This was solemnly done, on the 15th of March; and, at the same time, were erased out of the registers of the parliament the letters patents, by which the rights of the king of Spain to the crown of France were preserved, when he set

The dukes
of Berry and
Orleans re-
nounce the
crown of
Spain.
Annals.

* See p. 274

out

1712-13. out for Madrid. It will be necessary now to turn a little to the affairs of the north.

The affairs
of the north.
Hist. of Eur.
Burnet.

The favourable turn, which, towards the end of the year 1712, attended the Swedish affairs, both in the north of Germany and in Turkey, as it presaged new dangers to the empire, and made the States and the emperor uneasy, was, no doubt, a powerful motive to incline them to hearken to the instances of the British ministers, to come into the queen's measures. The Muscovites, Danes, and Saxons, who miscarried in their design to reduce Pomerania in the year 1711, seemed confident to have taken such measures in 1712, as to be able to drive the Swedes from their territories on this side the Baltic: But their not going into the field, so soon as they intended, proved the cause of their disappointment. The Muscovites and Saxons had undertaken to conquer Pomerania; but through the misunderstanding of their generals (some being for the siege of Stralsund, others of Stetin, and others again for the attack of the isle of Rugen) the whole campaign was spent in fruitless debates, and all that the Czar and king Augustus could do at last, was, to quarter their troops in Pomerania, as they had done the year before, in order to keep the Swedes in awe.

The Swedes
defeat the
Danes.
Dec. 29.
N. S.

The king of Denmark made a better use of his time, he besieged and took Staden, and reduced the duchy of Bremen. After which, upon slight pretensions, he obliged the city of Hamburg to pay him three hundred thousand crowns, which proved a seasonable supply to subsist his troops. The northern allies seeming contented with these successes, had sent their troops into quarters, when an unexpected motion of the Swedes obliged them once more to take the field. Count Steenbock, who some time before was arrived in the island of Rugen, being sensible of the impossibility of subsisting his forces in the narrow compass of land he was possessed of, resolved to look for quarters in the county of Mecklenburg; and succeeded in his design without the loss of a man. The northern confederates resolved to draw their forces from their lines, in order to oblige the Swedish general to return into Pomerania, where they knew he could not maintain his army. But when it was generally expected, that both armies were ready to engage, a cessation of arms, for fifteen days, was on a sudden concluded between the Polish and Swedish generals. This suspension expiring, the troops were all again in motion. The king of Denmark, who appeared
against

against the truce, marched five days before from Holstein ^{1712-13.} towards Mecklenburgh, in order to join his allies, and endeavour to fight the Swedes. But count Steenbock, with great foresight, resolved to prevent, and engage the Danes, before they were reinforced; which he did near Gadesbush, where the Danish troops and some Saxon cavalry suffered almost a total defeat. The Swedish general was not wanting to improve his success; and, entering Holstein, not only raised great contributions, but, in a barbarous manner, and upon frivolous pretences, burnt the Danish open town of Altena near Hamburg. At the same time the Swedes were animated by reports from Constantinople, of the war being like to break out again between the Turks and the Czar, on pretence, that the Czar had not performed one of the most essential articles of the late peace, namely, the withdrawing of his forces from the territories of Poland. This new rupture was attended with the disgrace of the Grand Vizir, who was the third Turkish minister of that rank, who fell a sacrifice to the intrigues of the king of Sweden, and of those, who supported his interest at the Ottoman port. The king of Sweden had all the assistance the French could give him in soliciting this war, which gave the emperor great apprehensions. He was afraid disorders in Hungary might follow upon it, which would defeat the measures he had taken to settle matters in that kingdom, so that, being safe on that side, he might turn his whole force against France, and, by that means, encourage the States to continue the war. Those in Holland, who pressed the accepting the offers that France made them, represented that as a thing not possible to be supported: the promises of the emperor and the princes of the empire had so often failed them, that they said, they could not be relied on: And the distractions in the north made them apprehend, that those princes might be obliged to recal their troops, which were in the service of the States.

The sudden and unexpected prosperity of the king of Sweden soon came to an end. Whilst he was using all possible means to engage the Turk into a new war with the Czar, the party at the port, that opposed it, studied to get rid of him and his importunities. By his intractable obstinacy he threw himself into great dangers. Orders were sent him to march back into his kingdom: and they undertook to procure him a safe passage to it; but he treated the person, that was sent with this message, with great insolence, and fortified himself, as well as he could, with the Swedes

The king of
Sweden's
misfortune.

1712-13. Swedes that were about him, and resolved to defend himself. A force much superior to his was brought against him; but he maintained himself so resolutely in his house, that some hundreds of those who attacked him were killed: the Turks, upon that, set fire to the house, whereupon he was forced to surrender, and was put under a guard; and most of his Swedes were sold for slaves; he was carried to a house near Adrianople, but not suffered to come to court; only the sultan disowned the violence used to his person. In the mean while, the Czar shipped an army from Peterburgh, that landed in Finland: the Swedes were not able to stand before him; every place, as he advanced, submitted to him; and he was now master of Abo, the capital of Finland, and of that whole province. Steenbock, with his army, maintained himself in Tonningen, as long as their provision lasted: but, all supplies being carefully stopped, he was forced at last to deliver up himself and his army prisoners of war; and these were the best troops the Swedes had, so that Sweden was struck with a general consternation.

The British plenipotentiaries scruple to sign a separate peace. Rep. of the Com. of Secr. April 4. N. S.

Though the plenipotentiaries at Utrecht had received such positive orders from lord Bolingbroke to sign the peace, the behaviour of the French was so different from what had been promised, that they were mightily perplexed, and scrupled to sign a separate treaty. They wrote to the lord Bolingbroke, 'That they could say a great deal to justify their cautious proceedings with the French; and were satisfied he would be of the same opinion, if he were to see their way of negotiating with all the allies; and how hard it was for the British ministers to obtain, what to his lordship seemed impossible the French should make any difficult to grant.' What made them still more averse, was the great importunity, with which the French pressed them to conclude with them alone, of which they apprehended the consequences at home; and, to justify themselves, they had acquainted the duke of Shewsbury, in a letter of March 20, 'That besides other considerations, their chief objection was, that though they had orders to sign a particular peace, yet their full powers under the great-seal only authorized them to negotiate, agree, and conclude the conditions of a good and general peace, agreeable to the interests of all and each of the allies. The lord Bolingbroke, in his letter of the 20th of March, O. S. pretended, that he had not sagacity enough to find the objections the plenipotentiaries had made to their first full powers.'

powers. However, for their satisfaction, he sent them ^{1712-13.} a new commission, and repeated to them positive orders to sign and conclude with France. By this new commission he tells them they had a power, as before, to treat and conclude the conditions of a good and general peace, which, as his lordship explained, was no more than to offer, jointly with the ministers of France, the plan of a general peace to the allies. But the difficulties of the plenipotentiaries made the lord treasurer, who never failed to exert himself, when it was absolutely necessary, think it high time to interpose his authority; and accordingly, on the 31st of March, wrote to the earl of Strafford in this manner: I must felicitate your excellency upon the success of all your zeal, and the true love you have shown to your queen, your country, and the repose of all Europe. The remaining danger is, lest we should suffer shipwreck in the sight of port. The nation here are five hundred to one for peace. The warriors are driven from their out-works; the last retrenchment they have is delay; and I must say, this operates much here. The ferment begins to work; and it will be impossible to answer for the turn the house of commons will take, if these delays provoke them farther. They all feel how many hundred thousand pounds this needless protraction costs them. We now maintain forty-nine thousand effective men by land, and thirty thousand, within a trifle, by sea. In the mean time the merchants lie off, and will not come into port. The amusement of stories invented by the faction, and the correspondence and encouragement that party gives to their friends to hold out, and to wait for some unhappy accident, that may unravel all which is done: add to this, the ill humour, which will grow in members by being kept so long in town idle; and, in one word, all, that has been unsettled for many days, is not worth one day's charge England is at extraordinarily by this delay. I find this seems to be the prevailing universal opinion here; and that France has acquitted herself. The only stop is now at Utrecht.' But this stop did not now remain long; and, as the treasurer never yet appeared in vain, all further obstructions at Utrecht were after this soon removed (i). For on the 7th of April, N. S. the British ministers

They fixed a day for signing the Peace.

(i) It is observable, that were made, upon account of among all the demands that any prince or state in the grand alliance,

1712-13. ministers declared to the Dutch and imperial plenipotentiaries, that they were ready, as well as the plenipotentiaries of some other princes, to sign their respective treaties on Tuesday the 11th of that month. The plenipotentiaries of the emperor immediately declared, that neither they, nor the ministers of the empire, were ready to sign the treaty; nor would they hearken to peace, without the restitution of Strasburgh; adding, that they were ordered to make a protestation against such a treaty of peace. The ministers of the States deputed three members of their body, Randwyck, Vanderdussen, and Renswoude, to go to the Hague, to receive new instructions on this important affair. They arrived there Sunday morning, and, after having conferred with the pensionary, had a conference with the deputies of the States. The pensionary communicated the same day to the states of Holland and west Friseland what had been transacted at Utrecht; whereupon the States declared for peace. The deputies of the States had a second conference with their plenipotentiaries, and the next morning their last orders were drawn up, and communicated to the states of Holland, who having approved the same, the plenipotentiaries set out in the evening for Utrecht with the character of ambassadors, accompanied by monsieur Van Spanbroeck, the new plenipotentiary of the province of Zealand, in the room of monsieur Moermont. Count Zinzendorf, who came the 10th in the morning from Utrecht to the Hague, had immediately a conference with the pensionary, in which he used all imaginable endeavours to have the signing of the peace put off, at least till he had received new instructions from Vienna, and declared, that, if the States signed before his master, his impe-

alliance, none, at this time, met with the least regard from the British court; when, at the same time, the interest of the princess Ursini, who, at this juncture, had a prevailing influence at the court of Madrid, was espoused in the strongest terms. For, in the same letter, where the lord Bolingbroke says, 'That her majesty did not much enter into the notion of the degradation of

' Hanover, as a matter of
' any importance;' his lordship declares, 'That the princess Ursini, in some part of the Spanish Netherlands, with a revenue of thirty thousand crowns, demanded for the princess Ursini, must be made to the emperor, and all parties concerned, a condition sine qua non, of the general peace.' Rep. of the Com. of Secr,

rial majesty would immediately withdraw his troops out of the Netherlands: But, finding his reasons and representations ineffectual, he protested against this peace, as he had done before at Utrecht, whither he returned that evening. The same day, in the morning, upon the return of messieurs Randwyck, Vanderdussen, and Renswoude, the Dutch ministers had a conference with the British plenipotentiaries; and then another with those of France, at the lord privy-seal's house, from four in the afternoon till two in the night, wherein was settled whatever related to the treaty of peace and commerce of the States-general. The 11th in the morning, the ministers of the protestant allies had a conference together in the town-house, to which the marquis de Miremont, appointed by the queen of Great-Britain, to take care of the interests of the protestants of France, was, for form sake, invited; but the result of this consultation was only, that a representation should be made in favour of those sufferers to the ministers of France; which was immediately laid before them by the British plenipotentiaries. This done, they went to count Zinzendorf's, and communicated to him the plan, which they had agreed on with the ministers of France, for the emperor and empire; having stipulated, that his imperial majesty should have time to consider, whether he would accept of it or no, till the 1st of June N. S. during which interval, however, France would not grant a cessation of arms; and withal declared to him, that they were going to sign the queen's peace. After this, the British plenipotentiaries went to the other ministers of the allies, to whom they made the same declaration; and, being returned to the lord privy-seal's house, the French ambassadors repaired thither, and about two in the afternoon signed, with those of Great-Britain, the treaties of peace and commerce. One instrument of the treaty was drawn up in latin by the British ministers; and another, on the part of the French, in their own language; each party signing first, in their respective instruments: and it was agreed, that the ratification should be exchanged at Utrecht within four weeks. The ministers of Savoy, who soon after, came to the lord privy-seal's house, signed also with those of France their master's treaty, which was drawn up in French, and by which it was particularly stipulated, 'That his royal highness should not take upon him the title of king of Sicily, till after the peace was concluded and signed with Spain.' This done, all the ambassadors who had signed the peace, as well as those, who intended to

1712-13. sign it namely those of Portugal, Prussia, and the States-general, went and dined at the earl of Strafford's. As soon as dinner was over, most of those ministers retired to their houses, to collate their respective treaties; and, afterwards returning to the earl of Strafford's, the Portuguese Ambassador signed their treaty, drawn up in their own tongue, about eight o'clock in the evening, as the Prussians did theirs in French about eleven; the French having insisted, that they should sign before those of the States, because, in the treaty, their master was stiled king, and acknowledged as such by France. The ambassadors of the States did not sign till near three hours after, having not only been taken up longer than the rest in collating their treaties of peace and commerce, but endeavoured to have some expressions altered, particularly as to the title of the emperor, who, in the instruments drawn up in French, was not stiled otherwise than head of the house of Austria; but they were obliged to recede from all their pretensions. This important negotiation being thus brought to a conclusion, the British ministers immediately dispatched an express to Mr St John, secretary to the British embassy, who, the day before, set out for the Brill, in order to carry over to Great-Britain the treaties of peace and commerce, for the queen's ratification. At the same time, the French ministers dispatched a courier to monsieur de Beringhen, who set out the 10th for Malines, in order to wait there the news of the signing of the peace. The other ministers dispatched also expresses to their respective courts. The States-general sent copies of the treaties to the respective provinces, as they did likewise, to the towns of the province of Holland in particular. But, when the terms of peace were divulged, the body of the people was highly dissatisfied to find, that woollen manufactures, sugars, and some other merchandizes were excepted from the tariff of 1664, and continued charged with high duties; being apprehensive, that by these exceptions their trade with Spain, which sets all the other branches of their commerce in motion, would in a manner be ruined.

The imperial ministers disgusted at the offers of France.
Annals,

On the 13th of April, count Zinzendorf having declared to the ministers of Great-Britain, and of the States-general, that he was to set out two days after for Germany, the British plenipotentiaries on the 14th, delivered to him a writing, intitled, 'Offers and demands of the French king, for making peace with the house of Austria and the empire.' The imperial and other German ministers expressed the highest indignation at their being so meanly treated, as to

have

have terms imposed upon them by France, in relation to the 1712-13. electors of Cologne and Bavaria. They also resented the slight put upon the emperor, by the French and Spaniards refusing to give him that title; and they were particularly dissatisfied with the Dutch for signing, before the return of the express sent last to Vienna. But the Dutch excused themselves, alledging the common plea of the necessity of affairs. It was now given out, that the emperor and empire would carry on the war, and hazard their all, rather than submit to these conditions. And, as France might turn all her force against Germany, count Zinzendorf intimated to the ministers of the empire, that it would be necessary to cause, not only the imperial troops to march from Flanders to the Rhine, but also those formerly in the pay of Great-Britain. To this purpose it may be observed, that the king of Prussia signed the peace only in that quality, and not as an elector of the empire, though it was said, he made a private agreement with France, to furnish no more troops than his quota, in case the emperor and empire should continue the war.

On the 3d of April, being Good-Friday, Mr St John arrived at Whitehall with the treaties of peace and commerce, signed the Tuesday before, between the British and French plenipotentiaries, and the news, that the ministers of Portugal, Savoy, Prussia, and the States-general, had likewise signed their respective treaties, which was immediately notified in the evening by popular rejoicings. Four days after, the queen held a council at St James's, in which the lord-keeper Harcourt was declared lord-high-chancellor of Great-Britain; and at the same time the duke of Athol was sworn of the privy-council. This done, the queen proposed to the board the ratifying the treaties of peace and commerce: to which the earl of Cholmondley objected, saying, 'This matter being of the highest importance for her majesty and her kingdoms, as well as all Europe, it required the maturest consideration; and these treaties containing several terms of the civil law, in which the least equivocation might be of great consequence, and being, besides, couched in Latin and French, it seemed very necessary to have them translated into the vulgar tongue.' He was supported by another member; but, the time agreed on for the exchanging of the ratifications not admitting of delays, their opinion was over-ruled, and so the queen ratified the treaties. The next day the white-staff, as treasurer of the household, was taken from the earl of Cholmondley, and Sir

The treaty
is brought to
England.

1713. Richard Temple was removed from his command of the regiment of dragoons, formerly commanded by the earl of Essex. The peace being thus signed and ratified, the queen resolved not to defer any longer the meeting of the parliament. Accordingly on the 9th of April, to which day it was last prorogued, she went to the house of peers, and made the following speech to both houses :

1713.
The parliament meets,
April 9.

My lords and gentlemen,

The queen's
speech on
the peace.

“ I Ended the last session with my hearty thanks for the solemn assurances you had given me, by which I have been enabled to overcome the difficulties contrived to obstruct the general peace.

“ I have deferred opening the session until now, being very desirous to communicate to you, at your first meeting, the success of this important affair. It is therefore, with great pleasure, I tell you, the treaty is signed, and in a few days the ratifications will be exchanged.

“ The negotiation has been drawn into so great a length, that all our allies have had a sufficient opportunity to adjust their several interests. Though the publick charge has been thereby much increased, yet I hope my people will be easy under it, since we have happily obtained the end we proposed.

“ What I have done for securing the protestant succession, and the perfect friendship there is between me and the house of Hanover, may convince such, who wish well to both, and desire the quiet and safety of their country, how vain all attempts are to divide us; and those who would make a merit by separating our interests, will never attain their ill ends.

Gentlemen of the house of commons,

“ As great a progress has been made in reducing the publick expence, as the circumstances of affairs would admit.

“ What force may be necessary for securing our commerce by sea, and for guards and garrisons, I leave intirely to my parliament.

“ Make yourselves safe, and I shall be satisfied.

“ Next to the protection of the divine providence, I depend upon the loyalty and affection of my people.

“ I want no other guaranty.

“ I recommend to your care those brave men, who have served

" served well, by sea or land, this war, and cannot be employed in time of peace.

" I desire you to provide the supplies you shall judge requisite; and to give such dispatch, as may be necessary for your own ease and the publick service.

My lords and gentlemen,

" The many advantages, I have obtained for my own subjects, have occasioned much opposition and long delay to this peace.

" It affords me great satisfaction, that my people will have it in their power, by degrees, to repair what they have suffered during so long and burdensome a war.

" The easing of our foreign trade, as far as is consistent with national credit, will deserve your care.

" And to think of proper methods for improving and encouraging our home trade and manufactures, particularly the fishery, which may be carried on, to employ all our spare hands, and be a mighty benefit, even to the remotest parts of this kingdom.

" Several matters were laid before you last session, which the weight and multiplicity of other business would not permit you to perfect. I hope you will take a proper opportunity to give them a due consideration.

" I cannot, however, but expressly mention my displeasure at the unparalleled licentiousness in publishing seditious and scandalous libels.

" The impunity, such practices have met with, encourages the blaspheming every thing sacred, and the propagating opinions tending to the overthrow of all religion and government.

" Prosecutions have been ordered; but it will require some new law to put a stop to this growing evil, and your best endeavours in your respective stations, to discourage it.

" The impious practice of duelling requires some speedy and effectual remedy.

" Now we are entering upon peace abroad, let me conjure you all, to use your utmost endeavours for calming men's minds at home, that the arts of peace may be cultivated.

" Let no groundless jealousies, contrived by a faction, and fomented by a party-rage, effect that, which our foreign enemies could not.

1713.

“ I pray God to direct all your consultations for his glory
and the welfare of my people.”

Debate about
the address
of thanks.
Pr. H. L.

The lord's
address of
thanks.
April 11.

The queen being retired, and the commons gone back to their house, the duke of Beaufort made a motion for an address of thanks, which occasioned a debate, chiefly about the expression of a general peace. Some peers urged, that it could not be said to be general, since the emperor, the elector of Hanover, and other princes and states of the empire were not yet come into it. But they were answered, that it might justly be called general, since the major part of the allies had signed it. After this another motion was made, that in the address of thanks, a clause might be inserted, That her majesty would be pleased to lay before the house the treaties of peace and commerce: but, the question being put, it was carried in the negative by a majority of seventy-four against forty-three. The address of congratulation being agreed to, though without any approbation of the peace, it was presented to the queen (k). The commons observed the same caution in their address, and waved the motion for having the treaties laid before them (l).

Most

(k) In their address, ‘ They returned thanks for communicating to them, that a peace was concluded; by which they hoped, with the blessing of God, that the people would, in a few years, recover themselves after so long and expensive a war; and they congratulated her majesty upon the success of her endeavours for a general peace. They declared, that they never had the least doubt, but that her majesty, who was the great support and ornament of the protestant religion, would continue to take, as she had always done, the wisest measures for securing the protestant succession, towards which nothing could be more necessary than the perfect friendship there was between her majesty and

the house of Hanover. And they assured her majesty, that, as she expressed her dependence, next under God, upon the duty and affection of her people, they thought themselves bound, by the strictest ties of religion, loyalty, and gratitude, to make all the dutiful returns, that could be paid by the most obedient subjects to the most indulgent sovereign.’

(l) There was a small debate about the words, ‘ to see accomplished,’ which, by a great majority, were voted to stand. The address was as follows:

‘ We your majesty’s dutiful and loyal subjects, the commons of Great-Britain in parliament assembled, beg leave, with all humility, to approach your royal person with our unanimous

Most of the corporations and other bodies of men soon followed the example of both houses of parliament, in returning the queen thanks for the peace, before they knew what that peace was. However, general Stanhope having renewed

1713.

Addresses
about a
peace.

' nimous acknowledgements for
' all the benefits we enjoy under
' your majesty's most auspicious
' reign.

' The many and great suc-
' cesses, which have attended
' your majesty's arms, had left
' nothing to be wished, but
' such a peace, as might be con-
' ducted by your councils,
' which now we have the hap-
' piness to see accomplished.
' And as we are truly sensible
' of your majesty's gracious and
' generous intentions, in under-
' taking that great work; so
' we have all possible reason to
' admire your steadiness in car-
' rying it on, and overcoming
' the many difficulties contrived
' to obstruct it: and it is with
' the highest satisfaction we con-
' gratulate your majesty upon
' the happy conclusion of this
' treaty; for we are so much
' convinced of your majesty's
' tender regard to the publick
' welfare, and the many in-
' stances of your wisdom have
' taught us to have so perfect a
' reliance upon it, that we can-
' not doubt but your majesty
' hath procured all reasonable
' satisfaction for your allies, and
' established the interests of your
' own kingdoms in such a man-
' ner, as to make us not only
' secure for the future, but a
' flourishing and a happy peo-
' ple.

' Your majesty can give no
' higher proof of the care you
' take of posterity, than by the

' concern you are pleased to ex-
' press for the protestant succe-
' sion in the house of Hanover,
' upon which the future happi-
' ness of this kingdom so much
' depends. We hope, and trust,
' that nothing will ever be able
' to interrupt the friendship be-
' tween your majesty and that
' illustrious family, since the
' wicked designs of those, who
' would endeavour to separate
' your interest, must be too plain
' ever to succeed.

' Your faithful commons can
' never enough express the
' grateful sense they have of the
' many gracious assurances con-
' tained in your majesty's
' speech; and after what your
' majesty hath done to ease your
' subjects of the heavy burden
' which before lay upon them.
' and after your unparalleled
' goodness in demanding no-
' thing from them for the time
' to come, but what they them-
' selves shall judge requisite for
' their own safety; the best re-
' turn they can make, will be a
' ready and dutiful compliance
' with every thing you have
' been pleased to recommend;
' and they cannot fail most
' cheerfully to set about pro-
' viding the supplies necessary
' for this year's service. Your
' majesty's repeated condescen-
' sions must in the strongest
' manner engage the hearts and
' affections of all your subjects
' to your majesty; and we are
' satisfied we cannot more truly
represent

1713. renewed the motion for addressing the queen, to communicate to the house the treaties of peace and commerce, it was carried in the affirmative, with the addition of the words, (in due time,) insisted on by the court-party; and so the address met with a gracious reception, and the queen was pleased to answer, that she intended to communicate to her parliament the treaties this house desired, as soon as it was practicable.

After the addresses of thanks for a peace, and a vote for a supply, the commons in complaisance to the court, proceeded to the stigmatizing of those that delighted in war. To this end Mr Shippen made a report of mismanagements from the committee, to examine the debts due to the army. They passed a slight censure on William Churchill, a member of their house, for being, when a commissioner for sick and wounded, a partner in contracts relating to that office. They also made an attempt to fasten a misdemeanor on the earl of Wharton, for taking 1000*l.* of one Hutchinson for procuring him the office of register of seizures in the customs, but it was dropped, because it was done before the last act of indemnity.

The peace
proclaimed.

May 5.

On the 28th of April the ratifications of the treaties of peace and commerce were exchanged at Utrecht between the minister of Great-Britain and France; and, being brought to London, by Mr Ayrest, chaplain and secretary to the earl of Strafford, the queen on the 4th of May, the same day of the month on which the war had been proclaimed eleven years before, signed a proclamation for publishing the peace; which was performed the next day with the usual ceremonies. The ratifications of the treaties between France and the States-General were also to have been exchanged on the 29th of April; but upon an unexpected difficulty about the elector of Bavaria's renunciation of the Spanish Netherlands (yielded to him by king Philip) which the Dutch ministers alledged not to be in due form, that exchange was deferred till the 12 of May,

' represent them, than by contributing our utmost endeavours to make your reign as prosperous, glorious, and easy to yourself, as it is beneficial and happy to your people.'

To which address the queen returned this answer,

' That this address could not but be very agreeable to her, as it came from her loyal commons, and as it was a continuation of those expressions of duty and affection, which they had shewn through this whole parliament.'

N. S.

N. S. About this time most of the ministers at Utrecht received by the post under a cover a printed protestation of the pretender to the crown of Great-Britain, who stiled himself James the third, and addressed himself to all kings, princes, republics, &c. By the date April 12, 1712, it appeared to have been drawn up a year before, and imported, 'That, since after a war so long and so pernicious to all Christendom, all parties seemed ready to come to a peace, and were speedily about to sign it, he thought it fit and necessary by this solemn protestation, to assert his undoubted right against any thing, that might be done towards the diminution of it. That he would not enlarge upon what had been unjustly done against him, since nobody could doubt of the justice of his cause. Nor was he indeed only moved with the condition of his own affairs, but, being incapable to change his affection towards his subjects, he could not, without the most sensible grief, behold, that neither their blood, nor their wealth, had hitherto been spared, to support that great injustice, that had been done him; and that they were at last reduced so far, that if a peace were made exclusive of him, they must necessarily become a prey to foreigners. That, since he understood, that the confederate powers had no regard to his right, he thought himself most indispensably obliged to himself, to posterity, and to his subjects, not to seem, by his silence, to consent to what was transacting to the prejudice of him, and the lawful heirs of his kingdoms. And therefore he solemnly protested against all that might be agreed or stipulated to his prejudice, as being void by all the laws in the world.' No manner of publick notice was taken of this protestation.

Baron de Kirchner, the only imperial minister now at Utrecht, having received repeated orders to leave that place, the British plenipotentiaries made their last effort to remove the difficulties, that still obstructed the conclusion of a general peace. At their request, the imperial minister met those of France, at the lord privy-seal's house, where the French made some new overtures relating to the emperor and empire: but, this conference having proved ineffectual, and Kirchner's orders for leaving the place of congress being positive, he set out from Utrecht, on the 17th of May, N. S.

1713.

The treaties
of peace and
commerce
laid before
the parlia-
ment.
Pr. H. C.
Burnet.

The parliament had now sat a month, when Mr Benson, chancellor of the Exchequer, delivered to the house of commons a message from the queen, importing, 'That as it is the undoubted prerogative of the crown to make peace and war, she had ratified the treaties of peace and commerce with France, which had been signed by her order, and had concluded a treaty with Spain, which would be signed as soon as the Spanish ministers were arrived there. That she determined from the first, on this extraordinary occasion, to communicate these treaties to her parliament, and had therefore, now ordered them to be laid before the house.' After this message he presented to the house the copies of the treaties of peace and commerce made at Utrecht, with translations of them.

Substance of
the treaties.
Burnet.

By the treaty of peace, the French king was bound to give neither harbour nor assistance to the pretender, but acknowledged the queen's title and the protestant succession, as it was settled by several acts of parliament: Dunkirk was to be razed, in a time limited, within five months after the ratifications; but that was not to be begun, till an equivalent for it was put into the hands of France. Newfoundland, Hudson's-Bay, and St Christopher's were to be given to England; but Cape Breton was to be left to the French, with a liberty to dry their fish on Newfoundland: This was the main substance of the articles of peace (o). The treaty of commerce settled a free trade, according to the tariff in the year 1664, excepting some commodities, that were subjected to a new tariff in the year 1699, which

(o) It was observed on these articles: as to Newfoundland, it was thought that the French settling at Cape Breton, instead of Placentia, would be of great advantage to them with relation to the Fishery, which is the only thing that makes settlements in those parts of any value. The English have always pretended, that, the first discovery of Newfoundland being made in Henry the Seventh's time, the right to it was in the crown of England. The French had leave given them, in king Charles the

First's time, to fish there, paying tribute, as an acknowledgment of that licence: It is true, they carried this much further, during the civil wars; and this grew to a much greater height in the reign of king Charles the Second: but, in king William's time, an act of parliament passed, asserting the right of the crown to Newfoundland, laying open the trade thither to all the subjects of Great-Britain, with a positive and constant exclusion of all aliens and foreigners. Burnet, II. 619.

was

1713.

was so high, that it amounted to a prohibition: all the productions of France were to come into England under no other duties, but those that were laid on the same productions from other countries; and, when this was settled, then commissaries were to be sent to London, to agree and adjust all matters relating to trade, the treaty of commerce with Spain was not yet finished. As for the allies, Portugal and Savoy were satisfied; the emperor was to have the duchy of Milan, the kingdom of Naples, and the Spanish Netherlands: Sicily was to be given to the duke of Savoy, with the title of king; and Sardinia, with the same title, was to be given to the elector of Bavaria, in lieu of his losses: the States were to deliver up Lisle, and the little places about it: and, besides the places of which they were already possessed, they were to have Namur, Charleroy, Luxemburg, Ypres, and Newport: the king of Prussia was to have the Upper Guelder. in lieu of Orange, and the other estates, which the family had in Franche Comté. The emperor was to have time to the first of June, to declare his accepting it.

The treaties being read, a day was appointed to consider of the treaty of commerce, particularly the eighth and ninth articles; by the eighth all the subjects of Great-Britain and France were to enjoy, as to all duties and impositions whatever, the same privileges, which any other nation, the most favoured, did then, or shall hereafter enjoy. By the other article, a law was to be made within two months in Great-Britain, that no more customs be paid for goods brought from France than what are payable for the like goods imported from any other country in Europe. These were articles very disadvantageous to England. During king Charles the Second's reign, our trade with France was often and loudly complained of, as very prejudicial to the nation; there was a commission appointed in the year 1674, to adjust the conditions of our commerce with that nation; and then it appeared, in a scheme that was prepared by very able merchants, that we lost every year a million of money by our trade thither. This was then so well received, that the scheme was entered into the journals of both houses of parliament, and into the books of the custom-house: but the court at that time favoured the interests of France so much, preferably to their own, that the trade went still on till the year 1678, when the parliament laid, upon all French commodities, such a duty, as amounted to a prohibition, and was to last for three years, and to the end

Debate about the 8th and 9th articles of the treaty of commerce.

Objections to them.

1713.

end of the next session of parliament: at the end of the three years, king Charles called no more parliaments; and that act was repealed in king James's parliament: but, during the whole last war, high duties were laid on all the productions and manufactures of France; which by this treaty were to be no higher charged, than the same productions from other countries. It was said that, if we had been as often beat by the French, as they had been by us, this would have been thought a very hard treaty; and, if the articles of our commerce had been settled, before the duke of Ormond was ordered to separate his troops from the confederates, the French could not have pretended to draw us into such terms, as they had insisted on since that time, because we put ourselves into their power. We were engaged by our treaty with Portugal, that their wines should be charged a third part lower than the French wines; but, if the duties were, according to this treaty of commerce, to be made equal, then, considering the difference of freight, which is more than double from Portugal, the French wines would be much cheaper; and, the nation generally liking them better, by this means we should not only break our treaties with Portugal, but if we did not take off their wines, we must lose their trade, which was at present the most advantageous that we drove any where: for, besides a great vent of our manufactures, we brought over yearly great returns of gold from thence; four, five and six hundred thousand pounds a year. We had brought the silk manufactures here to so great perfection, that about 300,000 people were maintained by it. For carrying this on, we brought great quantities of silk from Italy and Turkey, by which people in those countries came to take off as great quantities of our manufactures: so that our demand for silk had opened good markets for our woollen goods abroad, which must fail, if our manufacture of silk at home should be lost: which, if once we gave a free vent for silk stuffs from France among us, must soon be the case; since the cheapness of provisions and of labour in France, would enable the French to undersell us, even at our own markets. Our linen and paper manufactures would likewise be ruined by a free importation of the same goods from France.

Notwithstanding all this, a motion was made on the day appointed, May 14, to bring in a bill to make good the eighth and ninth articles of the treaty of commerce with France. A debate arose, which lasted till ten in the evening,

ing, when it was resolved, by a great majority, that the bill should be brought in (n).

1713.

The

(n) The substance of the debate on this occasion was as follows:

Mr Arthur Moore, one of the commissioners of trade, and whose skill and knowledge in commercial affairs, the British ministry had chiefly relied on in drawing up the treaty in question, endeavoured to shew the great advantages, that would accrue to the nation from a free trade with France; and Sir James Bateman, Sir Thomas Hanmer, Sir William Wyndham, Mr chancellor of the Exchequer, Mr Ward, Mr Shepherd, and some others, spoke on the same side. Mr Nicholas Lechmere endeavoured, on the contrary, to prove, that the trade with France would be very prejudicial to our woollen, silk, and paper manufactories, and to our commerce with Portugal; and he was supported, not only by general Stanhope, Mr John Smith, Mr Nathaniel Gould (an eminent merchant, formerly governor of the bank of England) Sir Peter King, Sir Joseph Jekyll, Mr Wortley Montague, the lord Castlecomer, and some others of the whigs; but also by Sir George Newland and Mr Robert Heysham, who had before gone with the court. Mr Moore, in order to make good his assertion, having enumerated the different sorts of commodities of the growth and manufacture of Great-Britain, which the French drew from hence before the two last wars, insinuating, that in all

probability they would do the same again for the future, if a free trade with them were set upon an equal foot: Mr Gould answered him, that he begged the very thing in question; and that, in his opinion, the opening a free trade with France, would rather be highly detrimental to the nation. To make this out, Mr Gould urged, 'That, since the revolution, the state of commerce was entirely changed; and as France had set up, and very much encourage woollen manufactures, and made shift without several goods, which they drew from hence; so England had learned to be without the produce of France, by setting up silk manufactures and paper-mills; encouraging the making of all manner of toys, &c. which saved and gained vast sums of money to the nation, and employed an infinite number of artificers, who would be reduced to beggary, if the importation of French goods of the same kind were allowed; because the French had their work done for less money and consequently could sell their commodities cheaper.' He added, 'that the most valuable branch of our trade was that to Portugal; the increase of which, of late years, was mainly owing to the great quantities of wines that were imported from thence, and consumed in Great-Britain, instead of French wines, by reason of the high duties laid on the

1713.
Memorial of
the Portu-
guese Envoy
against the
treaty of
commerce.

The peace had been proclaimed in London, and afterwards throughout Great-Britain, with the loudest acclamations of the people, who fondly expected great benefits from it; but it was not long before the eyes of the gene-

‘the latter. But, if these duties were, pursuant to the treaty of commerce in question, reduced and made equal with those on Portugal wines, the importation and consumption of the latter would infallibly decrease, and thereby our profitable commerce to Portugal be in danger of being lost.’ On the other hand, Sir William Wyndham took this occasion to reflect on the late ministry, ‘who, in his opinion, had let slip the opportunity of making a good peace, when they had it in their power: But that a time might come, and, he hoped, was not far off, when the mismanagement of the enemies to their country should be animadverted upon. As to our Portugal trade, he said, that that kingdom would ever have occasion for the woollen manufactures and the corn of England, and consequently be obliged to take off great quantities from hence, as they did before the year 1703, even at a time when the court of Portugal had laid high duties on English goods and merchandizes.’ General Stanhope made hereupon a long speech, wherein, among other things, he said, ‘That the affair now in question was not a party business; neither did it concern the late or the present ministry, but the whole British nation, and therefore, for his own part, he would freely

‘speak his thoughts about it, with the utmost impartiality. That, the peace being made, it was now preposterous to say any thing for or against it. But, that as no treaty could bind the commons of Great-Britain to make any act or deed against their own interest; the only point to be considered was, Whether a free trade with France would be advantageous or no? And that, in order to clear that important matter, it was necessary to consult the merchants and manufactures who had presented several petitions and representations about it.’ This was likewise urged by Mr John Smith, who made a motion for adjourning the debate, and taking the papers before them into consideration. But the main question being put, was carried in the affirmative by a majority of two hundred and fifty two voices against one hundred and thirty. Mr Speaker having resumed the chair, Sir Gilbert Dolben made his report from the committee, and, after further debate, the whigs, finding themselves over-powered by the court party, most of them went out of the house; and so it was resolved by above an hundred voices against twelve or thirteen, that ‘a bill be brought in, to make effectual the eighth and ninth articles of the treaty of commerce and navigation between Great-Britain and France.’

ality

rality were opened. For, about the beginning of May, 1713. Signior Brucindo, the Portuguese minister in London, in a memorial represented to the court, 'That in case any breach was made in the treaty concluded in 1703, whereby the duties on French wines were stipulated to be, at least, one third higher than on those of Portugal, the king, his master, would renew the prohibition of the woolen manufactures and products of Great-Britain:' which alarmed not only the Portugal merchants in London, but also all persons concerned in the woolen manufacture. On the other hand, the treaties of peace and commerce having been published in print, that of commerce raised such a general clamour, as awakened the whole nation, which before seemed to have been sunk into a lethargy. Several gentlemen, and particularly Mr Robert Walpole, General Stanhope, Sir Theodore Janssen, &c. exerted themselves, and published several excellent pieces, which shewed the advantages of the trade with Italy, Spain, and Portugal, to which nations we constantly exported more than we imported from them, and brought the balance in money; whereas a trade with France would be destructive of our home manufactures, and of our commerce with other nations. These things came to be so well understood, that, even while flattering addresses were coming to court from all parts of England, petitions were sent up from the towns and counties concerned in trade, setting forth the prejudice which they apprehended from this treaty of commerce. The treaty, however, was to be supported at any rate; the persons concerned in making it, either could not, or would not, see the mistakes in it; and the nation was to be convinced, that through their great skill in trade, they had made an excellent treaty of commerce. To these ends Daniel de Foe was employed; though, in a weekly paper published some years before, called the review, he had very often condemned the French trade as detrimental to this kingdom. He undertook, however, the cause now, and published a paper thrice a week, by the title of mercator, or commerce retrieved; being considerations on the state of the British trade, particularly as it respects Holland, Hanover, and the Dutch barrier; the trade to and from France; the trade to Portugal, Spain, and the West-Indies, and the fisheries of Newfoundland and Nova Scotia: with other matters and advantages accruing to Great-Britain by the treaties of peace and commerce lately concluded at Utrecht. In this paper he undertook to prove, that the trade to

Great clamour against the treaty.

Burnet,

King's preface to the british merchant

The Mercator published.

1713.

France, though contrary to all experience, had always been beneficial to this kingdom, and would be so again upon the foot of the treaty. And as he had the art of writing very plausibly, and those, who employed him, and furnished him with materials, had the command of all publick papers in the custom-house; he had it in his power to do a great deal of mischief, especially amongst such, as were unskilled in trade, and at the same time very fond of French wines, which it was then a crime to be against. Several ingenious merchants, of long experience, and well skilled in trade, joined together to contradict the impositions of this writer: they knew he had many heads besides the advantages of publick papers to help him; and therefore thought the publication of a joint weekly paper the most feasible way to confute him, and set our trade in a clear light, because they were sensible that it was impossible for any one man to be master of so much experience, as was required to furnish materials from so many different branches of our trade, as would be touched upon in this debate. The paper they published was, in opposition to Daniel de Foe's title, called *The British merchant, or commerce preserved*, and was published twice a week (o). The person, to whom the publick was chiefly obliged for this paper, and who had the greatest hand in it, was Henry Martin, who was afterwards made inspector-general of the exports and imports. He was assisted by Sir Charles Cooke merchant, afterwards made commissioner of trade; Sir Theodore Janssen, Bart. James Milner, Nathaniel Tori-

The British
merchant
published.

(o) The authors of this work, vol. I. p. 180. 2d edit. assert, 'that, if the 8th and 9th articles of the treaty of commerce between us and France had been rendered effectual by a law, this very thing had been more ruinous to the British nation, than if the city of London were to be laid in ashes. This city has been once burnt to the ground; but the people were still in being. They were, notwithstanding this calamity, a constant mart for the product and manufactures of the country.

'But, if such a law, as that above-mentioned, had passed, France would have gone on from that moment to exhaust the treasures of the kingdom. We should have presently lost our best markets both at home and abroad. Our gentlemen must have felt a sudden and universal decay of their rents; and our common people must have either starved for want of work, come to the lands or the parish for subsistence, or have retired to foreign parts for bread.'

and,

ano, Joshua Gee, Christopher Haynes, David Martin, 1713. merchants; and Charles King, who afterwards collected and reprinted those papers. Lord Hallifax and general Stanhope had likewise a considerable share in the encouragement of this paper, which had so great an effect, that the thoughts of the whigs about commerce, which, at first, were represented as the result of discontent, and spirit of party, appeared to be the universal sense of all traders.

The house of commons gave an aid of two shillings in the pound, though the ministers hoped to have carried it higher; but the members durst not venture on that, since a new election was soon to follow the conclusion of the session. They proceeded next to renew the duty on malt for another year; and here a debate arose, that was kept up some days in both houses of parliament, whether it should be laid on the whole island. It was carried in the affirmative; of which the Scots complained heavily, as a burden, that their country could not bear: and whereas it was said, that these duties ought to be laid equally on all the subjects of the united kingdom, the Scots insisted on an article of the union, by which it was stipulated, that no duty should be laid on the malt in Scotland during the war, which ought to be observed religiously. They said, it was evident, the war with Spain was not yet ended: no peace with that crown was yet proclaimed, nor so much as signed: and though it was as good as made, and was every day expected, yet it was a maxim in the construction of all laws, that odious matters ought to be strictly understood; whereas matters of favour were to be more liberally interpreted: It was farther said on the Scots side, that this duty was, by the very words of the act, to be applied to deficiencies during the war: so this act was, upon the matter, making Scotland pay that duty during the war, from which the articles of union did, by express words, exempt them. A great number of the English were convinced of the equity of these grounds, which the Scots went upon, but the majority was on the other side. So, when the bill had passed through the house of commons, all the Scots of both houses met together, and agreed to move for an act, dissolving the union; they went first to the queen, and told her how grievous, and indeed intolerable this duty would be to their country, so that they were under a necessity to try, how the union might be broken. The queen seemed uneasy at the motion; she

Aid given by
the com-
mons.
Burnet.

The Scots
oppose the
malt duty.

1713.

studied to divert them from it, and assured them, that her officers should have orders to make it easy to them. This was understood to imply that the duty should not be levied; but they knew this could not be depended on: so the motion was made in the house of lords, and most of the lords of that nation spoke to it: they set forth all the hardships that they lay under since the union; they had no more a council in Scotland; their peers at present were the only persons in the whole Island, that were judged incapable of peerage by descent; their laws were altered in matters of the highest importance, particularly in matters of treason; and now an imposition was to be laid on their malt, which must prove an intolerable burthen to the poor of that country, and force them to drink water. Upon all these reasons, they moved for liberty to bring a bill to dissolve the union, in which they would give full security, for maintaining the queen's prerogative, and for securing the protestant succession. This was opposed with much zeal by the ministers, but was supported by others: who, though they did not intend to give up the union, yet thought it reasonable to give a hearing to this motion, that they might see how far the protestant succession could be secured in case it should be entertained; but the majority were for rejecting the motion: when the malt-bill was brought up to the lords, there was such an opposition made to it, that fifty six voted against it, but sixty four were for it, and so it passed (p).

The

(p) This affair, more at large, is thus related: During the adjournment of the parliament for a week, on account of the whitsun-holidays, there appeared an uneasiness in many of the Scots members upon the disappointment of their endeavours to get their country eased of part of the malt-tax. Hereupon they conferred with several of the Scots peers sitting in parliament; and laying aside all party-distinctions, consulted together how to redress their grievances. They deputed the duke of Argyll, the earl of Mar, Mr Lockhart, and Mr Cockburne, who

by word of mouth represented to the queen, 'That their countrymen bore, with great impatience, the violation of some articles of the act of union; and that laying such an insupportable burden as the malt tax upon them, was like to raise their discontent to such an height, as to prompt them to declare the union dissolved. To this unexpected remonstrance, the queen answered, 'This was a precipitate resolution; and she wished they might not have reason to repent it: but, however, she would endeavour to make all things

The matter of the greatest consequence in this session was, the bill for settling the commerce with France, accord-

1713.

ing A bill for rendering the treaty of commerce effectual is rejected.

things easy.' The Scots members being met again the next day, and their deputies having made their report of her majesty's answer, it was unanimously agreed, that, before they proceeded farther, they should lay their grievances before the house of lords. Accordingly, on Thursday the 28th of May, after the lords had adjourned the debate about the eighth and ninth articles of the treaty of commerce, the earl of Findlater made a motion, that some day should be appointed to consider the state of the nation: Whereupon the lords appointed Monday the 1st of June, when all the lords in town were summoned. The debate began between one and two, being opened by the earl, who made the motion, and who represented the grievances of the Scots nation, which he reduced to four heads: 'First, their being deprived of a privy-council. Secondly, the laws of England in cases of treason extending to Scotland. Thirdly, the Scots peers being incapable of being made peers of Great Britain, as it was adjudged and declared in the case of the late duke of Hamilton. And, Fourthly, the Scots being subjected to the malt tax, which would be the more insupportable to them now, in that they never were subjected to it during the war, and had reason to expect to reap and enjoy the benefits of peace: concluding, that, since the union between the two nations had not those good

effects, as were expected from it, he therefore moved. That leave might be given to bring in a bill, for dissolving the said union, and securing the protestant succession in the house of Hanover, securing the queen's prerogative in both kingdoms, and preserving an intire amity and good correspondence between the two kingdoms.' This motion was seconded by the earl of Mar; but opposed by the lord North and Grey, who, in a long speech, endeavoured to shew, that the complaints of the Scots were groundless, and the dissolving the union impracticable; not without some reflections on the poverty of the Scots nation. He was answered by the lord Eglington, who allowed the Scots nation to be poor, and therefore unable to pay the malt tax. The lord North and Grey replied, 'That it was nothing but what was agreed to by the treaty of union; the fourteenth article of which imported, that Scotland should not be charged with any imposition on malt during the war only, which was now at an end.' The earl of Ilay confessed, that there was such a clause, but that the same article imported, 'That, seeing it could not be supposed, that the parliament of Great-Britain would ever lay any sort of burdens upon the united kingdom, but what they should find of necessity, at that time, for the preservation and good of the whole, and with due regard to the circumstances and abilities of every

1713. ing to the eighth and ninth articles of the treaty, which had been ordered by the commons to be brought in. The

traders

‘part of the united kingdom; ‘therefore it was agreed, that ‘there should be no farther exemption insisted on, for any ‘part of the united kingdom, ‘but that the consideration of ‘any exemption, beyond what ‘was already agreed on in this ‘treaty, should be left to the ‘determination of the parliament of Great-Britain.’ He urged, ‘That when this treaty ‘was made, the Scots concluded the parliament of Great-Britain would never go about ‘to lay any imposition, that they ‘had reason to believe grievous;’ and having set forth the inability of the Scots to pay the malt-tax, concluded for the earl of Findlater’s motion. Hereupon the earl of Peterborough made a long speech, wherein he endeavoured to shew the impossibility of dissolving the union, saying, among other things, ‘That he had often ‘heard the union compared to ‘a marriage; and, according ‘to that notion, since it was ‘made, it could not be dissolved by any power upon earth. ‘That, though England, who, ‘in this national marriage, must ‘be supposed to be the husband, ‘might in some instances have ‘been unkind to the lady, yet ‘she ought not presently to sue ‘for a divorce, the rather, because she had very much ‘mended her fortune by this ‘match:’ adding, ‘That the ‘union was a contract, than ‘which nothing could be more ‘binding.’ To this the earl of Ilay answered, ‘That, if the ‘union had the same sanction ‘as marriage, which was an ordinance of God, he should be ‘for observing it as religiously ‘as that; but that he thought ‘there was a great difference. To which the earl of Peterborough replied, ‘He could not ‘tell how it could be more solemn than it was, except they ‘expected it should have come ‘from heaven like the ten commandments:’ animadverting, in the conclusion, on the Scots, ‘as ‘a people, that would never be ‘satisfied: that they would have ‘all the advantages of being ‘united to England, but would ‘pay nothing by their good ‘will: and that they had more ‘money from England, than all ‘their estates amounted to in ‘their own country.’ To him the duke of Argyle replied, in a very warm speech, wherein among other things, he said, ‘That he was by some reflected on, as if he was disgusted, ‘and had changed sides, but ‘that he despised their persons, ‘as much as he undervalued ‘their judgments. That it was ‘true, he had a great hand in ‘making the union: that the ‘chief reason which moved ‘him to it, was the securing ‘the protestant succession; but ‘that he was satisfied, that ‘might be done as well now, if ‘the union were dissolved: ‘that he spoke as a peer of ‘England as well as of Scotland: that he believed in his ‘conscience, it was as much ‘for the interest of England as ‘of Scotland, to have it dissolved; and, if it were not, ‘he did not expect long to have

either

traders in the city of London, and those in all the other parts of England, were alarmed'd, with the great prejudice 1713.
this

‘ either property left in Scotland, or liberty in England. He urg'd, that the tax upon malt in Scotland was no less unequal, than the taxing land by the acre throughout England would be; because land is worth five or six pounds an acre about London, and not so many shillings in remote parts of the country. That this was the case between the Scots and English malt; the latter being worth three or four shillings the bushel, the other not above one; so that if this tax were collected in Scotland, it must be done by a regiment of dragoons.’ Some other Scots peers said, ‘ That the end of the union was the cultivating amity and friendship between the two nations; but it was so far from having that effect, that they were sure, the animosities between the two nations were now much greater than before the union; and therefore they were of opinion, that, if the union were dissolved, the two nations would be better friends.’ The lord chief justice Trevor urg'd on the other hand the impossibility of such a dissolution; and he was supported by the lord-treasurer, who said, ‘ That the earl of Findlater’s motion was no less strange than unexpected: that, the union being made by two distinct parliaments of both kingdoms, he did not see how it could be dissolved, now the two nations were in different circumstances, be-

‘ cause the power that made it was no more in being; and nothing could make it void, but the power that created it; concluding, that if the Scots had any grievances to complain of, there might be some other method thought of to redress them, without proceeding to that extraordinary way of dissolving the union, which had been made in so solemn a way, and brought about with so much difficulty.’ This was answered by the earl of Nottingham, who represented the advantages of the union, if the views, with which it was made, had been steadily pursued. He added, ‘ That, though the two nations were now in other circumstances, than when the union was made, yet the same power that was in the two parliaments, when they were separated and distinct, was lodged in them now they were consolidated; and therefore if they had power to make it, they certainly had it still to dissolve it: and that he knew not any thing, but what the parliament could do, except destroying the present constitution; which, he owned, they had not power to do. That the inconveniencies which had attended the union, could not be foreseen, till the trial was made: And, since the Scots, who were the best judges of the affairs of their kingdom, found that it did not answer the ends propos’d, he was for dissolving it.’ The earl of Sunderland said, to the same

1713. this would bring on the whole nation. The Turkey company, those that traded to Portugal and Italy, and all who were

same purpose, 'That, though he had a hand in making the union, yet if it had not that good effect which was expected from it, he was likewise for dissolving it.' The lord viscount Townshend said, That he was of the same opinion, provided that means could be found to secure the protestant succession; and therefore he desired to know, what security the Scots could give for that essential point, before they proceeded any further? To this some of the Scots lords replied, That would appear when the bill was brought in: that then it was a proper time to shew what security they could give; and therefore moved, That the question might be put immediately, Whether a bill should be brought in, or not? The earl of Nottingham desired, that another day might be appointed to consider further of a matter of such consequence, that the lords might be better apprized of it. The lord Halifax declared also for dissolving the union, provided it could be made appear, that the succession could be secured; but yet desired, that a further day might be appointed to consider of so important a matter. And the earls of Mar and Loudon, who were before for putting the question immediately, declared themselves better satisfied with that lord's reasons. There were several other speeches made both by the English and Scots lords, particularly by the earl Paulet, and the earls of Scarborough and

Scarfdale. And it is observable, that, when the danger England would be in from the pretender, if the union were dissolved, was urged, the lord Townshend answered, 'That the queen, lords, and commons of England, if joined in one interest, need fear no enemy in the world; and therefore ought to despise the pretender and all his abettors.' The duke of Argyle having mentioned the pretender, said, 'He knew not what appellation to give him, his name being now as uncertain as his parents.' But the earl of Scarfdale called him the prince, or, added he, 'the pretender, which you will.' Upon the whole matter, all the English court lords were against dissolving the union; and on the other hand, such whig peers, as appeared to be for it, had principally in view the somenting the discontents of the Scots, in order to incline them to chuse, at the next election, such representatives as should oppose the present ministry. The question being put upon the earl of Findlater's motion, it was carried in the negative by four voices, there being fifty-four lords present on each side; and seventeen proxies for the negative, and only thirteen for the affirmative. It is remarkable, that the lord-treasurer having, in the course of this debate, advanced, 'That, though the malt tax were laid, it might be afterwards remitted by the crown, and not levied;' the earl of Sunderland,

were concerned in the woollen and silk manufactures, appeared before both houses, and set forth the great mischief, that a commerce with France, on the foot of the treaty, would bring upon the nation; while none appeared on the other side, to answer their arguments, or to set forth the advantage of such a commerce. It was manifest, that none of the trading bodies had been consulted in it; and the commissioners for trade and plantations had made very material observations on the first project, which was sent to them for their opinion: and afterwards, when this present project was formed, it was also transmitted to that board by the queen's order, and they were required to make their remarks on it: but Arthur Moor, who had risen up from being a footman without any education, to be a great dealer in trade, and was the person of that board, in whom the lord-treasurer confided most, moved, that they might first read it every one a-part. and then debate it; and he desired to have the first perusal: so he took it away, and never brought it back to them, but gave it to the lord Bolingbroke, who carried it to Paris, and there it was settled. The bill was very feebly maintained by those who argued for it; yet the majority went with the bill till the last day; and then the opposition to it was so strong that the ministers seemed inclined to let it fall: but it was not then known; whether this was only a feint, or whether the instances of the French ambassador, and the engagements that our ministers were under to that court, prevailed for carrying it on. It was brought to the last step; and then a great many of those, who had hitherto gone along with the court, broke from them in this matter, and bestirred themselves so effectually, that when it came to the last division, a hundred and eighty five were for the bill, and a hundred and ninety-four were against it: by so small a majority, was a bill of such great importance lost (q).

The

Sunderland said, 'He wondered such expressions, as tended to establish a despotic dispensive power, and arbitrary government, should come from that noble lord.' To this, the lord treasurer said, 'That his family had never been for promoting and advising arbitrary measures as others had

'done:' which the earl of Sunderland taking to be a reflexion upon his father, he not only vindicated him, but added, 'That the other lord's family was hardly known in those days.' Pr. H. L.

(q) The proceedings at large were as follows:

On the 9th of June, the com-

1713.

Address of
thanks for
the treaties
of peace and
commerce.
June 26.

The rejecting this bill being an express condemnation of the treaty of commerce, and laying the managers of it open to future inquiries, the ministry used their utmost efforts to procure a palliative address from the commons; which the majority

commons in a grand committee, took that bill into consideration, Sir Rober Davers being in the chair; and heard Mr Cooke, a merchant, who in behalf of the Levant company, made a long speech; wherein, with great solidity of reason he shewed, how detrimental the opening a trade with France would be to the British woolen and silk manufactures, and to all the branches of our trade. The merchants being withdrawn, the commons took their allegations into consideration; and among the rest, general Stanhope, to corroborate what Mr Cooke had alledged, quoted the preamble of an act of parliament, made in the thirteenth year of king Charles the second, which runs thus: 'Forasmuch as it 'has been by long experience 'found, that the importing 'French wines, brandy, linen, 'silk, salt, and paper, and 'other commodities, of the 'growth, product, or manufactures of the territories and 'dominions of the French 'king, has much exhausted the 'treasure of this nation, lessened 'the value of the native commodities and manufactures 'thereof, and caused great detriment to this kingdom in general: be it therefore enacted, ' &c.' Hereupon the speaker, supposing that Mr Stanhope had made a mistake, said, There was no such thing in that act. But Mr Stanhope insisted that

the clerk should read the said act; and, his quotation appearing to be right, he and other members animadverted with some vehemence on the speaker's blunder. At last, the debate cooled, and was put off till the next day; and it was resolved that the petitioners, who had not been yet, should then be heard.

On the 10th of June, the queen came to the house of peers, and the commons attending, her majesty gave the royal assent to the act for continuing the duties on malt, &c. the act to revive and continue the act for taking and stating the publick accounts, &c. and to some other private and publick bills. The commons being returned to their house, and having resolved themselves into a grand committee upon the bill relating to the treaty of commerce, the Spanish, Italian, and Portugal merchants, and the weavers of London, were admitted to be heard upon their several petitions. Mr Torriano, who spoke in behalf of the Spanish trade, having animadverted on the eighth and ninth articles of the treaty of commerce, and mentioned the tenth and eleventh as relating to the two former, some court-members were offended at it; and, after he had done speaking, moved the committee, that a mark of their displeasure might be set upon him. But general Stanhope, Mr

Lech-

majority of that house were the more ready to come into, 1713.
 because the whigs began to exult, as if they had already triumphed over their adversaries. Sir Thomas Hanmer, by whose influence chiefly the bill had been lost, was engaged to

Lechmere, Sir Peter King, and Mr John Smith, said, 'That, unless they gave the merchants full liberty of speech, the house would never be able to form a right judgment on that important affair; and they hoped that no man should be reprimanded for standing up for the trade of Great-Britain.' This, with a noble spirit, which appeared in the house on behalf of the merchants, by the great number of members, both tory and whig, who, all at once, stood up to defend Mr Torriano, made the courtiers drop that matter; and then Mr Wyat, spoke for the Italian merchants. Mr Milner for the Portugal trade, and colonel Lekeux for the London weavers. The merchants being withdrawn, the speaker resumed the chair; and it was resolved, That the grand committee should, the next day, consider further of the bill, and that the other petitioners be then heard. It was also ordered, That the ministers of the Levant company, and all memorials, petitions, representations, schemes of trade, and papers relating thereunto, that were either before the commissioners of trade and plantations, or before the commissioners of the customs, relating to the trade between England and France, be laid before the house.

The next day, June 11, the grand committee heard several

petitioners, and read many petitions, and other papers; and two days after, a cause was ordered to be inserted in the bill, declaring, 'That the privileges, liberties, and immunities, as to all duties, impositions, or customs relating to commerce, or to any other right whatsoever, that had been, or might be granted by France, with respect to the subjects, goods, or merchandizes, of any foreign nation, should be understood to extend as well to the four species of goods, excepted in the ninth article from the tariff of 1664, as to all other merchandizes whatsoever imported into France by the subjects of Great-Britain.' Then the commons in a grand committee, made a further progress in the bill, and went through it on the 15th of June. Three days after, Sir Robert Davers reported the amendments made to the bill; which, with some others, were agreed to by the house. Then a motion being made, that the bill be ingrossed, it occasioned a warm debate from three o'clock in the afternoon, till near eleven at night. General Stanhope, Sir Peter King, Mr Gould, Mr Hampden, and some others, shewed the disadvantage of an open trade with France, upon the foot of the last treaty of commerce: and the member, who spoke most in favour of the bill, was the same, who had been

1713.

to make a motion for an address returning her majesty the humble thanks of this house, for the great care she had taken of the security and honour of her kingdoms in the treaty of peace; and also, for what she had done in the treaty of commerce with France, by laying so good a foundation for the interests of her people in trade; and humbly to desire her majesty, that she would be pleased to appoint commissioners, to treat with commissioners on the part of France, for adjusting such matters as should be necessary to be settled in the treaty of commerce between her majesty and France; that the treaty might be explained and perfected, for the good and welfare of her people. Many of the members who voted against the bill, being absent, it was carried for the address by a majority of one hundred and fifty-six voices against seventy-two: whereupon general Stanhope made a motion, 'to represent in the address the sense ' of the house, that her majesty's commissioners who were ' to treat of the commerce between Great-Britain and ' France, should insist, that liberty be given to her majesty's ' subjects to trade to all the ports in the French king's dominions.' But this was rejected.

The queen's
answer.
Burnet.

The address being presented to the queen by the whole house, she ' thanked them most heartily for an address, ' which

been chiefly employed in that treaty, Mr Arthur Moor; but, some of his arguments being strained and precarious, the majority even of his own party adhered to the opinion of Sir Thomas Hanmer, who made a long and elaborate speech, wherein, among other things, he said, ' That, before he had fully examined the affair in question, ' he had given his vote for ' bringing in the bill; but, ' that having afterwards maturely weighed and considered ' the allegations of the traders ' and manufacturers in their several petitions and representations, he was convinced, that ' the passing of it would be of ' great prejudice to the woolen ' and silk manufactures of this

kingdom; consequently increase the number of the poor, ' and in the end, affect the ' land. That, while he had the ' honour to sit in that house, he ' would never be blindly led by ' any ministry; neither, on the ' other hand, was he biased by ' what might weigh with some ' men, viz. the fear of losing ' their elections. ' But that the ' principles, upon which he acted, were the interest of his ' country, and the conviction of ' his judgment; and upon these ' two considerations alone, he ' was against the bill.' This speech made a great impression on many of the members; and Mr Aislaby, one of the lords commissioners of the admiralty, and Mr Francis Annesley, one

of

1713.

which so fully expressed their approbation of the treaties of peace and commerce with France: adding, that it was with no small difficulty, that so great advantages in trade were obtained for her subjects; and that she would readily comply with their desires, in continuing her utmost care to secure the benefits she had stipulated for her people.' This was very surprising, since the house of commons had sufficiently shewn, how little they were pleased with the treaty of commerce, by their rejecting the bill, which was offered to confirm it; and this was insinuated in their address itself. But it was pleasantly said, that the queen answered them, according to what ought to have been in their address, and not according to what was in it. Besides, it was observable, that her promise to maintain what was already stipulated, did not at all answer the prayer of their address. However, the speaker having early the next day, reported the queen's answer to a very thin house, it was unanimously resolved to return thanks for it.

As it did not appear in the treaty of peace, what equivalent the king of France was to have for Dunkirk, the commons addressed the queen, desiring to know what that equivalent was. Some weeks passed before they had an answer; but, at last, the queen by a message said, that in pursuance to the treaties, as well between her and the French king, as between that king and the States, the equi-

Address
about the
equivalent
for Dunkirk.
June 3.
June 20.

of the commissioners of the public accounts, having spoke also against the bill, the question, Whether it should be ingrossed, was at last carried in the negative, by a majority of one hundred and ninety-four voices, against one hundred and eighty-five. It was observed, that of the four members for the city of London, one only, Sir William Withers, voted for the bill: and that Sir Richard Hoare, then lord mayor, Sir George Newland, and Sir John Cals, voted against it; as did also the two members for Westminster, Mr Medicot, and Mr Thomas Cross. On the other hand, it was given out that the lord-

treasurer, foreseeing the ill effects of passing such a bill at this juncture, wrote the night before, a letter to the speaker of the house of commons, desiring him to use his interest, that it might drop; which step he might probably be induced to take from the opposition the bill was like to meet with in the house of lords; where, that very afternoon, July 17, the earls of Anglesey and Abington, and some other peers, had declared against it. However some suspected either the reality or true design of such a letter, because most of the court and Scots members voted for the bill.
Pr. H. C.

valent

1713.

valent to be given for the demolition of Dunkirk was already in the hands of his most christian majesty. This still left the matter in the dark, no further explanation being made of it: however, though many members were dissatisfied with this dubious answer, the majority acquiesced in it. At the same time the queen being also addressed 'for an account of what she had stipulated for the sake of Great-Britain in Flanders, and how the same was secured, the report of the commissioners of trade about this matter was laid before the commons;' which being read, an address was presented to her, 'That she would take care, the towns in Flanders in her possession be not evacuated, till those who were to have the sovereignty of the Spanish Netherlands agreed to such articles for regulating trade, as might put the subjects of Great-Britain upon an equal foot with those of any other nation.' To this she returned a favourable answer.

This was all that passed this session of parliament with relation to peace. It was once apprehended, that the ministers would have moved for an act, or at least for an address, approving the peace, but no such motion was made (r).

The

(r) Bishop Burnet says, that, if such a motion had been made he would have spoken the following speech, being the only one he ever prepared beforehand, which he has inserted in his history, in order to deliver down to posterity his thoughts of this great transaction.

'My lords, this matter now before you, as it is of the greatest importance, so it may be seen in very different lights; I will not meddle with the political view of it; I leave that to persons, who can judge and speak of it much better than I can: I will only offer to you what appears to me, when I consider it, with relation to the rules of morality and religion;

'in this I am sure I act within my proper sphere. Some things stick so with me, that I could have no quiet in my conscience, nor think I had answered the duty of my function, if I did not make use of the freedom of speech, that our constitution and the privileges of this house allow me: I am the more encouraged to do this, because the bringing those of our order into publick councils, in which we have now such a share, was originally intended for this very end, that we should offer such considerations, as arise from the rules of our holy religion, in all matters that may come before us. In the opening my sense of things, I may be forced to use some

words.

The house of commons was, as to all other things, except the affair of commerce, so entirely in the hands of the ministers, that they ventured on a new demand of a very extraordinary nature, which was made in as extraordinary a manner. The civil list, which was estimated at 600,000*l.* a year, and was given for the ordinary support of the government, did far exceed it. And this was so evident, that, during

1713.

A demand of money for the civil list debts.

Burnet.

Pr H. C.

the

' words, that may perhaps appear severe : I cannot help it, ' if the nature of these affairs is ' such, that I cannot speak ' plainly of them, in a softer ' strain : I intend not to reflect ' on any person : and I am sure ' I have such a profound respect ' for the queen, that no part of ' what I may say, can be understood to reflect on her in any ' sort : her intentions are, no ' doubt, as she declares them ' to be, all for the good and ' happiness of her people ; ' but it is not to be supposed, ' that she can read long treaties, ' or carry the articles of them ' in her memory : so, if things ' have been either concealed ' from her, or misrepresented to ' her, ' She can do no wrong : ' and, if any such thing has ' been done, we know on whom ' our constitution lays the blame.

' The treaties that were made some years ago, with our allies are in print ; both the grand alliance, and some subsequent ones : we see many things in these, that are not provided for by this peace ; it was in particular stipulated, that no peace should be treated, much less concluded, without the consent of the allies. But, before I make any observations on this, I must desire you will consider

how sacred a thing the public faith, that is engaged in treaties and alliances, should be esteemed.

I hope, I need not tell you, that even heathen nations valued themselves upon their fidelity, in a punctual observing of all their treaties, and with how much infamy they branded the violation of them ; if we consider that which revealed religion teaches us to know, that man was made after the image of God, the God of all truth, as we know who is the father of lies ; ' God hates the deceitful man, in whose mouth ' there is no faithfulness.' In that less perfect religion of the Jews, when the Gibeonites had, by a fraudulent proceeding, drawn Joshua and the Israelites into a league with them ; it was sacredly observed ; and the violation of it, some ages after, was severely punished. And, when the last of the kings of Judah shook off the fidelity, to which he had bound himself to the king of Babylon, the prophet thereupon said with indignation, ' Shall he ' break the oath of God, and ' prosper ? ' The swearing deceitfully is one of the worst characters ; and ' He who swears ' to his own hurt, and changes

' not,

1713.

the three first years of the queen's reign, 100,000*l.* was every year applied to the war; 200,000*l.* was laid out in building of Blenheim-house; and the entertaining the Palatines had cost the queen 100,000*l.* So there was apparently a large overplus, beyond what was necessary towards the support of the government. Yet these extraordinary expences had put the ordinary payments into such an arrear, that, at Midsummer, 1710, the queen owed

510,000*l.*

'not, is among the best. It is a maxim of the wisest of kings, that 'the throne is established 'in righteousness.' Treaties are of the nature of oaths; and, when an oath is asked to confirm a treaty, it is never denied. The best account that I can give of the disuse of adding that sacred seal to treaties, is this;'

'The popes had for some 'ages possessed themselves of a 'power, to which they had often recourse, of dissolving the 'faith of treaties, and the obligation of oaths: the famous, 'but fatal story of Ladislaus, 'king of Hungary, breaking 'his faith to Amurath the Turk, 'by virtue of a papal dispensation, is well known. One of 'the last publick acts of this sort, 'was, when pope Clement the 'Seventh absolved Francis the 'First, from the treaty made 'and sworn to at Madrid, while 'he was a prisoner there: the 'severe revenge that Charles the 'Fifth took of this, in the sack 'of Rome, and in keeping that 'pope for some months a prisoner, has made popes more 'cautious, since that time, than 'they were formerly: this also 'drew such heavy but just reproaches, on the papacy, from 'the reformers, that some stop

'seems now to be put to such a 'barefaced protection of perjury. But the late king told 'me, that he understood from 'the German protestant princes, 'that they believed the confessors of popish princes had facilitated from Rome, for doing 'this as effectually, though more 'secretly: he added, that they 'knew it went for a maxim 'among popish princes, that 'their word and faith bound 'them as they were men, and 'members of society; but that 'their oaths, being acts of religion, were subject to the direction of their confessors; 'and that they, apprehending 'this, did, in all their treaties 'with the princes of that religion, depend upon their 'honour, but never asked the 'confirmation of an oath, which 'had been the practice of former ages. The protestants of 'France thought they had gained an additional security, for 'observing the edict of Nantes, 'when the swearing to observe 'it was made a part of the coronation oath: but it is probable, this very thing undermined and ruined it.

'Grotius, Puffendorf, and 'others who have wrote of the 'law of nations, lay this down 'for a rule, that the nature of a 'treaty,

510,000*l.* But, upon a new account, this was brought to be 80,000*l.* less; and, at that time, there was an arrear of 190,000*l.* due to the civil list: these two sums amounting to 270,000*l.* the debt that remained, was but 240,000*l.* Yet now, in the end of the session, when upon rejecting the

'treaty, and the tie that arises
'out of it, is not altered by the
'having, or not having an
'oath; the oath serves only to
'heighten the obligation. They
'do also agree in this, that con-
'federacies do not bind states,
'to carry on a war to their ut-
'ter ruin; but that princes and
'states are bound to use their
'utmost efforts in maintaining
'them: and it is agreed by all
'who have treated of these
'matters, that the common ene-
'my, by offering to any one
'confederate all his pretensions,
'cannot justify his departing
'from the confederacy; because
'it was entered into with that
'view, that all the pretensions
'upon which the confederacy
'was made, should be insisted
'on, or departed from, by com-
'mon consent.

'It is true, that in confede-
'racies, where allies are bound
'to the performance of several
'articles, as to their quota's or
'shares, if any one fails in the
'part he was bound to, the other
'confederates have a right to
'demand a reparation for his
'non performance; but, even
'in that case, allies are to act as
'friends, by making allowances
'for what could not be helped,
'and not as enemies by taking
'advantages, on design to dis-
'engage them from their allies.
'It is certain, allies forfeit their
'right to the alliance, if they

'do not perform their part:
'but the failure must be evident,
'and an expostulation must be
'first made: and if upon satisfac-
'tion demanded, it is not given,
'then a protestation should be
'made, of such non-perfor-
'mance; and the rest of the
'confederates are at liberty, as
'to him who fails on his part:
'these are reckoned among the
'customs and laws of nations:
'and, since nothing of this kind
'has been done, I cannot see
'how it can be made out, that
'the tie of the confederacy,
'and by consequence, that the
'publick faith has not been first
'broken on our side.

'My lords, I cannot recon-
'cile the carrying on a treaty
'with the French, without the
'knowledge and concurrence
'of the other confederate states
'and princes, and the conclud-
'ing it without the consent of
'the emperor, the principal
'confederate; not to mention
'the visible uneasiness, that has
'appeared in the others, who
'seem to have been forced to
'consent, by declarations, if
'not by threatenings; from
'hence I say, I cannot recon-
'cile this, with the articles of
'the grand alliance, and the
'other later treaties, that are in
'print: this seems to come
'within the charge of the pro-
'phet against those "who deal
'treacherously with those who
'had

1713. the bill of commerce, most of the members were gone into the country, so that there were not one hundred and eighty left, a message was sent on the 25th of June, to the commons, from the queen, 'acquainting them with the difficulties, which, in a particular manner, she lay under,

"had not dealt treacherously
"with them;" upon which the
"threatning that follows may
"be justly apprehended: it will
"have a strange sound among
"all christians, but more particularly among the reformed,
"when it is reported, that the
"plenipotentiary of the head of
"the reformed princes said
"openly to the other plenipotentiaries, that the queen held
"herself free from all treaties
"and alliances: if this be set
"for a precedent, here is a short
"way of dispensing with the
"publick faith; and, if this was
"spoken by one of our prelates,
"I am afraid it will leave a heavy
"reproach on our church;
"and, to speak freely, I am
"afraid it will draw a much
"heavier curse after it. My
"lords, there is a God in
"heaven, who will judge all the
"world, without respect of persons: nothing can prosper
"without his blessing: he can
"blast all the counsels of men,
"when laid in fraud and deceit,
"how cunningly soever they
"may be either contrived or disguised: and I must think that
"a peace made in opposition to
"the express words of so many
"treaties, will prove a curse instead of a blessing to us; God
"is provoked by such proceedings, to pour heavy judgments
"on us, for the violation of a
"faith so often given, which is

"so openly broken: by this our
"nation is dishonoured, and our
"church disgraced: and I dread
"to think what the consequence
"of those things is like to prove.
"I would not have expressed
"myself in such a manner, if I
"had not thought that I was
"bound to it by the duty that I
"owe to Almighty God, by my
"zeal for the queen and the
"church, and by my love to my
"country. Upon so great an
"occasion, I think my post in
"the church and in this house
"lays me under the strictest obligations to discharge my conscience, and to speak plainly
"without fear or flattery, let the
"effect of it, as to myself, be
"what it will: I shall have the
"more quiet in my own mind,
"both living and dying, for having done that, which seemed
"to an indispensable duty.

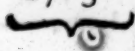
"I hope this house will not
"bring upon themselves, and
"the nation, the blame and
"guilt of approving that, which
"seems to be much more justly
"censurable: the reproach that
"may belong to this treaty, and
"the judgments of God, that
"may follow on it, are now
"what a few only are concerned
"in. A national approbation
"is a thing of another nature;
"the publick breach of faith, in
"the attack that was made on
"the Smyrna fleet forty years
"ago, brought a great load of
"infamy

‘ by the debts contracted in her civil government, occasioned by several extraordinary expences formerly incurred ; so that she thought herself obliged, in justice to many creditors, to order an estimate to be laid before them of what was owing on the civil list, in the year 1710. Adding, she had used unexemplified parsimony, to remove, if possible, this burden from herself ; but that the granting away, and lessening some part of her revenue by parliament, having made that impracticable, she therefore hoped, that they who on all occasions, had shewed themselves so well affected to her, would not be unwilling to empower her to raise such a sum of money on the civil list funds, as might enable her to discharge the debts, and settle the expence to be regularly paid for the future.’ With this message was presented to the house an estimate of the debts owing to the several heads of expence about midsummer, 1710 ; to which Mr John Smith, one of the tellers of the Exchequer, having raised some objections, saying, in vindication of the late ministry, ‘ That to his certain knowledge, the debts of the civil list, in the month of August, 1710 ; did not amount to one hundred and fifty thousand pounds ; for the payment of part of which there were some monies standing out, besides great quantities of tin, whereas, by the estimate now laid before them, the debts to midsummer, 1710, that is, about two months before, were made to amount to four hundred thousand pounds.’ A motion was then made to address the queen for an account of the arrears of the civil list funds, standing out at midsummer 1710 : and also, for an account of the debts of the civil list, as they were at this time, and of the arrears of the civil list funds to pay the same : but this was rejected, to the great surprise of many. On the contrary, a bill for enabling the queen to raise five hundred thousand pounds on the civil list revenues, to be applied towards payment of such debts and arrears owing to her servants, tradesmen and others, was read, June 30, a second time, and committed. After

‘ infamy on those, who advised and directed it : but they were more modest than to ask a publick approbation of so opprobrious a fact : it lay on a few ; and the nation was not drawn in to a share in the guilt of that, which was then

‘ universally detested, though it was passed over in silence : it seems enough, if not too much, to be silent on such an occasion. I can carry my compliance no further.’ Burnet, Vol. II. 623.

1713.



this, the motion made some days before, being again proposed with better success, it was resolved to address the queen, first, for 'an account of the debts on the civil list to midsummer 1710:' and, secondly, for, 'a yearly account of the neat produce of the civil list funds, since her accession to the throne.' This last address was made upon a suggestion, that the civil list funds yielded now above eight hundred and fifty thousand pounds. But, whether this was so or not, it is certain no answer was returned to the address.

Reasons
against it.

The bill for raising the 500,000*l.* met with great opposition, as it appeared to be of bad consequence, since the granting of such demands to one prince, would be a precedent to grant the like to all future princes; and as the account of the queen's debts was deceitfully stated, so it was known, that the funds set off for the civil list, would increase considerably in times of peace. However, though there was a great superiority in point of argument against the bill, there was a considerable majority for it. And all people concluded, that the true end of getting so much money into the hands of the court, was to furnish their creatures sufficiently for carrying their elections.

But it was
granted.

The lords were sensible, that the method of procuring this supply was contrary to their privileges, since all publick supplies were either asked from the throne, or by a message sent to both houses at the same time. This practice was enquired into by the lords: no precedents came up to it; but some came up so near it, that nothing could be made of the objection. But the ministers apprehending, that an opposition would be made to the bill, if it came up alone, got it consolidated with another of 1,200,000*l.* that was before them. And the weight of these two joined together made them both pass in the house of lords, without opposition.

Address to

the pre-

sent to

the queen

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While this was in agitation, the earl of Wharton moved in the house of peers, 'That an address be presented to the queen, that she would use her most pressing instances with the duke of Lorrain, and with all the princes and States in amity or correspondence with her, not to receive, or suffer to continue in their dominions, the pretender to the imperial crown of these realms.' Several members being surpris'd at this unexpected motion (which was designed to try the inclinations and affections of some persons) there was a pause for a long while. At last, the lord North and Grey broke silence, and endeavoured

1713.

voured to have that motion laid aside; representing, that such an address would shew a distrust either of the queen, or of the ministers: and that her majesty would be puzzled what to do, in case the princes and states in amity with her, should be unwilling to comply with her instances, since it would not be in her power to compel them: concluding with this question, 'Where would they have the pretender reside, since most, if not all the powers in Europe, were in amity with her majesty?' To this the earl of Peterborough answered, 'That, since he began his studies in Paris, the fittest place for him to improve himself was Rome.' After some warm expressions between the earl of Wharton and the lord-treasurer, the motion made by the earl was carried; and on the 2d of July, the house of lords attended the queen with their address. To which she answered, 'That she took extreme kindly their address; and the thanks they gave her for what she had done, for establishing the protestant Succession. That she would repeat her instances to have that person removed, according to their desire: and that she promised herself, they would concur with her, that, if they could cure their animosities and divisions at home, it would be the most effectual method to secure the protestant succession.' This answer seemed to import, that the queen had already pressed the duke of Lorraine to remove the pretender; though the ministers in the house of lords, and particularly the duke of Buckingham, president of the council, acknowledged, that they knew of no applications made to the duke of Lorraine, and therefore thought the words of the answer related only to the instances the queen had used, to get the pretender to be sent out of France.' But the natural signification of the words seeming to relate to the duke of Lorraine, the earl of Sunderland made a motion for a second address, which was supported by the earl of Nottingham; and, after some opposition, it was ordered, 'That an address be presented to the queen, to thank her for her answer to their address, and for the assurances she had given them, of repeating her instances for removing the pretender; and to express their surprize, that such instances had not had their full effect, notwithstanding the French king, and the king of Spain, had shewn their compliance with her desires on that occasion: and to assure her, that this house would support her, in whatever she should judge proper for obtaining a demand, which was so warranted by the laws

A second address against the pretender.

Pr. H. L.

1713.

The com-
mons address
against the
pretender.
Pr. H. C.

‘ of nations, and so necessary for the honour and safety
‘ of her majesty, and for the present and future peace and
‘ quiet of the people.’ All the answer brought to this ad-
dress was, that her majesty received it graciously. Though
applications of this nature were known to be ungrateful
both to the queen and her ministers, yet, on the 1st of
July, general Stanhope made a motion in the house of
commons, to the same purpose with that of the earl of
Wharton in the house of peers, and was seconded by
Mr Lechmere. The only objection against it, was made
by Sir William Whitlocke, who said, he remembered,
‘ That the like address was formerly made to the protector,
‘ for having Charles Stuart removed out of France ; not-
‘ withstanding which, that prince was, “ some time after,”
‘ restored to his father’s throne.’ But, the members, who
were suspected of favouring the pretender, being unwilling
to discover their inclination in so critical a juncture, when
the parliament was so near expiring, and a new election
coming on, it was, according to Mr Stanhope’s motion,
resolved unanimously, ‘ That an address be presented to
‘ her majesty, acknowledging the great care she had always
‘ taken, particularly in the late treaties of peace and gua-
‘ ranty, to prevent the pretender to her throne being in a
‘ condition to disturb these realms ; and to beseech her,
‘ that she would use the most speedy and pressing instances
‘ with the duke of Lorrain, and with all other princes in
‘ amity with her, that they would not, under any pretext
‘ whatsoever, receive, or suffer to continue within their
‘ dominions, the person, who, in defiance of her majesty’s
‘ most undoubted title to the crown, and the settlement
‘ thereof in the illustrious house of Hanover, had assumed
‘ the title of king of these realms ; and to assure her,
‘ that the commons of Great-Britain would, on all occa-
‘ sions, support her in such steps as should be necessary
‘ towards rendering those instances effectual.’ The ad-
dress being prepared and approved, was, July 8, pre-
sented by the whole house to the queen, who coldly told
them, ‘ She thanked them for it, and would give direc-
‘ tions according as they desired :’ which, however, was
not complied with till two or three months after, at the
solicitation of the lord-treasurer. It was generally believed,
that the duke of Lorrain did not consent to receive the pre-
tender, till he sent one over to know the queen’s pleasure
upon it, of which he was very readily informed,

Those,

Those, who enquired into the reasons of these addresses against the pretender, rightly ascribed them, not only to the good reception he met with in Lorrain, but also to the affection, which many shewed openly for him in Great-Britain. To this purpose it is remarkable, that two addresses were about this time presented to the queen by Sir Hugh Paterson, introduced by the earl of Mar, and afterwards inserted in the London-gazette. The first, of the magistrates and town-council of the burgh of Inverness in north Britain, contained the following paragraphs: 'We, without reserve, depend on your majesty's wisdom in securing our religion, and the succession to the hereditary crown of Great-Britain in the family of your royal progenitors, the most ancient line of succession in the world; being as much convinced, that our guaranty is intirely in your hands, as your serene majesty does place yours in your people.' The other address, from the town-council and inhabitants of the royal burgh of Nairn, had this passage in it: 'We know not with what modesty we can presume to address your majesty in the matter of succession, lest we should seem to call in question your majesty's unquestionable prudence, or the faithfulness of your majesty's council: and therefore we sincerely declare, that our utmost wishes reach no further, than that our posterity may reap the effects of your majesty's wise choice, while we think ourselves happy under your majesty's administration all our days.' But, on the other hand, an address from the city of Glasgow, in a quite different strain as to the succession, was presented to the queen by the members for that city, introduced by the duke of Argyll.

1713.

Two remarkable addresses in favour of liberal succession.

The queen having appointed the 7th of July for a publick thanksgiving, for the safe and honourable peace lately concluded, and invited her parliament to attend her to St Paul's, both houses went with the usual state; but the queen not having intirely recovered her strength since the last fit of the gout, she could not be present at that solemnity. The whigs were absent for another cause. In the evening there were great bonfires and illuminations throughout the cities of London and Westminster, and magnificent fireworks were played off upon the Thames, over against Whitehall.

Thanksgiving for the peace.
July 7.

On the 16th of July, the queen came to the house of peers to pass the bills, and put an end to the session, when she made the following speech to the parliament:

The parliament is prorogued.
July 16.
My Pr. H. C.

1713.

The queen's
speech to
both houses.

My lords and gentlemen,

" I Come now to put an end to this session with great
" satisfaction, and return you all my hearty thanks for
" the good service you have done to the publick.

Gentlemen of the house of commons,

" I must particularly thank you for the supplies you have
" now given: I will take care to apply them, as far as they
" will reach, to satisfy the services you have voted.

" I hope at the next meeting, the affair of commerce
" will be so well understood, that the advantageous condi-
" tions, I have obtained from France, will be made effec-
" tual for the benefit of our trade.

" I cannot part with so good and so loyal an house of
" commons, without expressing how sensible I am of the
" affection, zeal, and duty, with which you have be-
" haved yourselves; and I think myself therefore obliged
" to take notice of those remarkable services you have per-
" formed.

" At your first meeting you found a method, without
" farther charge to my people, to ease them of the heavy
" load of more than nine millions; and the way of doing
" it may bring great advantage to the nation.

" In this session you have enabled me to be just in pay-
" ing the debts to my servants.

" And, as you furnished supplies for carrying on the
" war so you have strengthened my hands in obtaining
" a peace.

" Thus you have shewed yourselves the true represen-
" tatives of my loyal commons, by the just regard you
" have paid to the good of your country and my honour.
" These proceedings will, I doubt not, preserve the me-
" mory of this parliament to posterity.

My lords and gentlemen,

" At my coming to the crown, I found a war prepared
" for me. God has blessed my arms with many victories,
" and at last has enabled me to make them useful by a safe
" and honourable peace.

" I heartily thank you for the assistance you have given
" me therein, and I promise myself, that, with your con-
" currence, it will be lasting.

" To

1713.

“ To this end I recommend it to you all, to make my subjects truly sensible what they gain by the peace ; and that you will endeavour to dissipate those groundless jealousies, which have been so industriously fomented amongst us, that our unhappy divisions may not weaken, and in some sort endanger, the advantages I have obtained for my kingdoms.

“ There are some (very few, I hope) who will never be satisfied with any government : it is necessary therefore, that you shew your love to your country, by exerting yourselves, to obviate the malice of the ill-minded, and to undeceive the deluded.

“ Nothing can establish peace at home, nothing can recover the disorders, that have happened during so long a war, but a steady adhering to the constitution in church and state.

“ Such, as are true to these principles, are only to be relied on ; and, as they have the best title to my favour, so you may depend upon my having no interest nor aim, but your advantage, and the securing of our religion and liberty.

“ I hope, for the quiet of these nations, and the universal good, that I shall next winter meet my parliament resolved to act upon the same principles, with the same prudence, and with such vigour, as may enable me to support the liberties of Europe abroad, and reduce the spirit of faction at home.”

Few speeches from the throne have been more severely reflected on than this was. It seemed strange, that the queen, who did not pretend to understand matters of trade, should pass such a censure on both houses, for their not understanding the affair of commerce ; since at the bar of both houses, and in the debates within them upon it, the interest of the nation did appear so visibly to be contrary to the treaty of commerce, that it looked like a contempt put upon them, to represent it as advantageous to England, and to rank all those, who opposed it, among the ill-minded, or at least among the deluded. Nor did it escape censure, that she should affirm, that the nation was by the parliament eased of the load of nine millions, without any further charge, since the nation must bear the constant charge of interest at six per cent. till the capital should be paid off.

Remarks
on it. Burnet.

The

1713.

The sharpness, with which she expressed herself, was singular, and not very well suited to her dignity or sex: nor was it well understood, what could be meant by her saying, that she found a war prepared for her at her coming to the crown; since she herself began it upon the addresses of both houses. It was also observed, that there was not in all her speech one word of the pretender, or of the protestant succession. But that, which made the greatest impression upon the whole nation, was, that this speech discovered plainly, that the court was resolved to have the bill of commerce pass in the next session. All people concluded, that the ministers were under engagements to the court of France to get it settled; and this was taken to be the sense of the queen's words concerning the making the peace lasting.

After this speech, both houses were prorogued to the 28th, but never to meet again, being dissolved before that day came. And thus ended the third and last session of the third British parliament, which some have distinguished by the epithet of pacifick. It may however be observed, that how far soever the commons carried their obsequiousness to the ministers in the affair of peace; yet the majority could not be prevailed with to approve the treaty of commerce, so destructive to the trade of England (s).

Rejoicings
upon the
expiration of
Sacheverel's
sentence.

The sentence of the house of lords, by which Dr Sacheverel was forbid to preach during the space of three years, expiring on the 23d of March, that day was celebrated in London, and in several parts of the kingdom, with extraordinary rejoicings. The Sunday following in the afternoon the doctor preached the first time at his church of St Saviour's, where a great multitude thronged

(s) Burnet concludes his history with saying: I am now come to the end of the war, and of this parliament, both at once: it was fit they should bear some proportion to one another; for, as this was the worst parliament I ever saw, so no assembly, but one composed as this was, could have set quiet under such a peace: but I am now arrived at my full period, and so shall close this work: I had a noble prospect before me

in a course of many years, of bringing it to a glorious conclusion; now the scene is so fatally altered, that I can scarce restrain myself from giving vent to a just indignation in severe complaints: but an historian must tell things truly as they are, and leave the descanting on them to others: so I here conclude this history of above three and fifty years. Burnet, Vol. II. 631.

to hear, or at least to see him, expressing their joy at his returning to the exercise of his function. His subject was the duty of praying for our enemies, from St Luke xxiii. 34. 'Father, forgive them, for they know not what they do.' In his sermon he made a tacit but obvious parallel between his sufferings and those of Jesus Christ. Not long after, the house of commons, to shew their dislike of his former prosecution and censure, desired him to preach before them at St Margaret's Westminster, on the 29th of May, being the restoration-day; which he did, and had the thanks of the house for his sermon. Nor was the court backward in rewarding his late service; for, the rectorship of St Andrew's Holborn, becoming vacant, he was promoted to that rich benefice. About this time also Dr Jonathan Swift, who had served the present managers by writing several libels against the whigs and last ministry, by whom he had been disappointed in his solicitations for preferment, was by the duke of Ormond promoted to the deanery of St Patrick, Dublin.

1713.
He is made
rector of St
Andrew's.
Other pro-
motions.

In the end of May, died Sprat, bishop of Rochester; his parts were very bright in his youth, and gave great hopes; but these were blasted by a lazy libertine course of life, to which his temper and good-nature carried him, without considering the duties, or even the decencies of his profession: he was justly esteemed a great master of our language, and one of our correctest writers. Atterbury succeeded him in that see, and in the deanery of Westminster: thus was he promoted, and rewarded for all the flame, that he had raised in our church. Dr Smalridge, a divine of the same principles with Atterbury, and dean of Carlisle, was made dean of Christ-church, Oxford. At the same time, care was taken to put the most important towns of the kingdom in the hands of such persons, as were prepared blindly to follow the queen's measures. With this view, the earl of Dorset, being removed from being governor of Dover, and warden of the Cinque-ports, was succeeded by the duke of Ormond, whose son-in-law, the lord Ashburnham, was made deputy-governor and deputy-warden; and Sir Henry Bellasyse was appointed governor of the town of Berwick upon Tweed. Not long after, a pension of five thousand pounds per annum was granted to the duke of Ormond, for the term of fifteen years, out of the revenues of Ireland, in consideration of his eminent services; and the lord Ashburnham was appointed colonel and captain of the first troop of horse-

1713.

horse-guards in the room of the earl of Portland, who was ordered to dispose of that post for the sum of ten thousand pounds. Sir John Powel, one of the judges of the Queen's-bench, dying in June on his return from Bath, was succeeded by Sir Thomas Powis; and Sir William Bannister, a serjeant at law, was made one of the barons of the exchequer, in the room of Sir Salathiel Lovel, lately deceased. The duke of Mountague having obtained the queen's leave to travel beyond sea, resolved to follow the fortune of the duke of Marlborough, his father-in-law. The duke of Montrose, who was well-affected to the protestant succession, being removed from the place of lord-privy-seal of Scotland, was succeeded in it by the duke of Athol; which change rather increased than abated the present ferment in that part of Great-Britain. For, on the one hand, the presbyterian ministers refused to observe the publick thanksgiving-day for the peace, appointed by the queen; and, on the other hand, the friends of the pretender, made great preparations to celebrate his birthday.

Duke d'Aumont's ambassy.

He is insulted by the mob.

The danger with which the Hanoverian succession was threatened, appeared to be the more real and imminent, by reason of the great countenance, which the Roman catholics and jacobites received from the distinguishing marks of favour, which at this juncture, were shewn to the duke d'Aumont, ambassador extraordinary from France, who came to London on the second of January, 1712-13, and was lodged at Powis house in Ormond-street. He was at first attended in publick with great acclamations by the populace, amongst whom he threw out from his coach handfuls of money; but, having soon discontinued that custom, they changed their note, and insulted him with the cry of, no papist, no pretender; and great insolencies were offered before his house by some, who being opposed by others, it occasioned a scuffle between them; whereupon it was thought proper to order the constables of the parish to look to the security of his house. Nor was this precaution unnecessary; for by this time there was a general clamour among the people against him, on account of great quantities of wines, silks, and other goods, which his domesticks were said to have imported custom-free, to the prejudice of the tradesmen of London and Westminster. The fact was, some French merchants took that opportunity to bring over a good deal of Burgundy and Champagne; which, before his arrival, were sold by retail at his house, and other places,

1713.

places, at lower rates than at the taverns; and at the same time, other Frenchmen who pretended to be of his retinue, brought also silks, buttons, perukes, toys, and other small wares, which they exposed to sale, unknown to the ambassador. But though it was certain, that all the wines imported on this occasion (except two tuns allowed to an ambassador extraordinary) paid the full duties, which amounted to about 2500*l*. And though the duke d'Aumont, upon his arrival at London, forbid the selling of wines or any other commodities in his house, yet the people put up the sign of a bunch of grapes before it in the night-time; and several ballads were writ both in French and English, one of them called, the merchant a-la-mode, containing many severe reflections, not only against the ambassador, but against the queen's ministers; strict search was made after the publishers of it, one of whom was committed to newgate. Besides these publick insults, several letters were sent to the ambassador, to give him notice, that his house would be set on fire; which, whether by design or accident, happened on the 26th of January. That day the duke d'Aumont ^{His house} entertained at dinner the ambassador of Venice, the envoys ^{burnt.} of Sweden and Florence, the lord Waldegrave, and some other persons of distinction, whom, by way of jest, he acquainted with the threatening letters he had received. But the company were soon alarmed in good earnest by a cry of fire; which, having broke out about three in the afternoon in an upper room, spread itself with such violence, that in less than two hours, the whole house was burnt to the ground; and all that the ambassador's domesticks could do, was to save his plate, and part of his richest furniture. The duke of Ormond, having notice of this accident, caused detachments of the horse and foot-guards to march to Ormond-street, to secure the ambassador's goods, and went himself to direct and encourage the engineers and firemen. The loss, the ambassador and his domesticks sustained, was by some magnified to an immense degree, whilst others made it inconsiderable. How the fire began, was then, and still remains a more difficult question to be resolved. It was at first given out, that it happened by the carelessness of his confectioner. Others said, the house was set on fire by an iron pot full of charcoal, that had been put in the middle of a room newly painted, in order to dry it. Others again reported, it was set on fire by two bricklayers, who had been employed to mend the tiles of the house, and who did it, at the instigation of the whigs. Upon this suspicion,

1713.
Feb. 3.

suspicion, the two bricklayers were taken into custody, and an advertisement was published in the London-gazette, 'That her majesty thought fit to promise, that if any of the persons, who wrote the letters to the duke d'Aumont, or any other person whatsoever, should discover the contrivers or actors of so scandalous and wicked a design, so that they, or any of them, might be brought to justice; such person, or persons, should receive the reward of five hundred pounds, and her majesty's pardon for the offence.' The strictest enquiry, that could be made, not affording ground to fix this fire upon any particular person, the generality continued in their first opinion, that it happened through accident. But many, who considered, that, as soon as the queen was informed of the misfortune, that had befallen the French ambassador, she gave immediate orders, that the best apartment in Somerset-house should be prepared for his accommodation, began to entertain a suspicion, that Powis-house was designedly set on fire, for a pretence to remove the French ambassador to a royal palace on the Thames, where any person might have private access to him. Others carried their surmises so far, as to imagine, that the pretender himself was come over with the ambassador, and had private interviews with the queen and some of her ministers. These jealousies were increased by the frequent entertainments and balls, which the duke d'Aumont gave in his apartment; where a great concourse of persons resorting in masks, he had an opportunity to sound the sentiments of many about the chevalier de St George.

The pretender thought to be with d'Aumont.

Complaint against Mr Dubourdieu.

Mr Prior, having in the queen's name solicited the release of the French protestants, who were on board the galleys on account of their religion; the marquis de Torcy took that opportunity of complaining to him, that the French refugees in England made it their business to inveigh against the king his master; and naming, in particular, M. Dubourdieu, a French minister of the royal chapel in the Savoy (who indeed had distinguished himself that way) desired, he might be punished, and made an example to the rest. At the same time, Torcy directed the duke d'Aumont to demand the same at the court of Great Britain; upon which he presented a memorial against Dubourdieu, to desire that exemplary punishment might be inflicted on him and all ministers, who abused their pulpits by declamations against his master.

Mr Prior having beforehand acquainted the lord Bolingbroke with the purport of this memorial, which clashed

with

with the constitution of our free government, the queen 1713.
 was prepared with an answer, 'That this was none of her
 'business, but the bishop of London's;' to whom the me-
 morial was referred, with orders to examine Dubourdieu.
 He having appeared before the bishop with four elders of May 19.
 his church, the bishop communicated to them the French
 ambassadors memorial; and asked the French minister,
 what he had to say to it? Dubourdieu answered, 'The
 'memorial containing only general complaints, he had no-
 'thing else to say, but that, during the war, he had, after
 'the example of several prelates, and other clergymen of
 'the church of England, freely preached against the com-
 'mon enemy and persecutor of the church; and that, the
 'greatest part of his sermons being printed with his name
 'affixed, he was far from disowning them; but that, since
 'the proclamation of the peace, he had not said any thing
 'that in the least concerned the person of the French king.'
 The bishop made him repeat the words, since the proclama-
 tion of the peace; and asking of the elders, whether this
 was true? they answered, that it was. Upon which the
 bishop said, he would make his report to the queen: which
 he did in such a manner, that the French Ambassador found
 no encouragement to insist on his demand (t).

About

(t) About the middle of July, the French ministry resolved to try the weight of their interest with the court of Great-Britain. Monsieur Tugghe, deputy from the magistrates of Dunkirk, presented to the queen an address or petition, 'wherein he begged
 'her majesty's clemency for
 'sparing the harbour and port
 'of that town' But he was told by the lord Bolingbroke,
 'That the queen beheld with
 'sorrow the damages which the
 'inhabitants of that town would
 'sustain by the demolition of its
 'ramparts and harbour: but
 'she did not think it conve-
 'nient to make any alteration
 'in an affair agreed on by a
 'treaty.' Tugghe, not dis-
 couraged by this repulse, pre-

sented a second address, where-
 in he suggested, 'That the pre-
 'servation of the harbour of
 'Dunkirk, without works and
 'fortifications, might, in time,
 'be equally useful, and become
 'even absolutely necessary, both
 'for her majesty's political
 'views, and the good of her
 'subjects.' This he endeavour-
 ed to evince, by a long deduc-
 tion of several particulars, and
 then concluded with presuming
 to hope, 'That her majesty
 'would graciously be pleased to
 'recall part of her sentence, by
 'causing her thunderbolts to
 'fall only on the martial works,
 'which might have incurred
 'her displeasure, and by spa-
 'ring only the mole and dykes,
 'which, in their naked condi-
 'tion,

1713.

Demolition
of the forti-
fications of
Dunkirk.

About the beginning of September, the colonels Armstrong and Clayton were appointed commissioners to see the fortifications of Dunkirk demolished; and at the same time two captains of men of war were, by the admiralty, named

to

'tion, could, for the future, be no more than an object of pity.' What answer was returned to this memorial, never came to publick knowledge; but Tugghe, whether of his own head, or by the encouragement of other persons, having caused it to be printed and dispersed in English, to try how it would be relished by the people, Mr Richard Steele, who with Mr Addison, and Mr Arthur Maynwaring, exerted himself in defence of the liberties of England, and of the whig cause, and who, at this very juncture, was writing a weekly paper, called the Guardian, answered Tugghe's memorial with great spirit, and, in order to expose it to the resentment of all men, who valued their country, or had any respect to the honour, safety, or glory of their queen, suggested, in his paper of the 7th of August, 1713, 'That the British nation expected the immediate demolition of Dunkirk.'

'That the very common people knew, that within two months after the signing of the peace, the works towards the sea were to be demolished, and within three months after it, the works towards the land.'

'That the peace was signed the last of March, O. S.'

'That the parliament has been told from the queen, that the equivalent for it is in the hands of the French king.'

'That the sieur Tugghe has the impudence to ask the queen, to remit the most material part of the articles of peace between her majesty and his master.'

'That the British nation received more damage in their trade from the port of Dunkirk, than from almost all the ports of France, either in the ocean, or the Mediterranean.'

'That fleets of above thirty sail have come together out of Dunkirk during the late war, and taken ships of war, as well as merchant-men.'

'That the pretender sailed from thence to Scotland; and that it is the only port the French have, till you come to Brest, for the whole length of the Channel, where any considerable naval armament can be made.'

'That destroying the fortifications of Dunkirk is an considerable advantage to England, in comparison to the advantage of destroying the mole, dykes, and harbour, it being the naval force from thence, which only can hurt the British nation.'

'That the Dutch, who suffered equally with us from those of Dunkirk, were probably induced to sign the treaty with France, from this consideration, that the town and harbour of Dunkirk should be destroyed.'

'That the situation of Dunkirk is such, as that it may always keep runners to observe all shipping on the Thames and Medway.'

'That

to see the harbour filled up. Accordingly, on the 7th of September, the two colonels set out for Dunkirk; where three French battalions, and as many Swifs being come, and incamping, the one without Port-Newport, the other without Port-Royal, they began on the 26th the demolition, the French between these two gates, and the Swifs between the bason and the citadel. The same day a dispute arose between Sir James Abercromby, the British commandant, and monsieur le Blanc, the French intendant of the province, about the manner of carrying it on. The French intended to have made a breach in the ramparts, or main fortifications of the town; but the two English commissioners having made the commandant sensible, that, if the same was permitted, the English garrison was not safe, and the French might easily make themselves masters of the place; Sir James insisted, and it was at last agreed to by le Blanc, that all the outworks, both towards the sea and the land, should be first demolished; next the harbour ruined and filled; afterwards the main fortifications of the place razed and destroyed; and last of all, the citadel. This point being cleared, the French and Swifs soldiers went to work again, and removed the great guns from fort Gallard, fort de Revers, the Risbank, and the two forts at

‘That all the suggestions, which the sieur Tugghe brought concerning the Dutch, were false and scandalous.

‘That, whether it might be advantageous to the trade of Holland or not, that Dunkirk should be demolished, it was necessary, for the safety, honour, and liberty of England that it should be so.

‘That, when Dunkirk was demolished, the power of France, on that side, should it ever be turned against us, would be removed several hundred miles further off Great Britain than it was at present.

‘That after the demolition, there could be no considerable preparations made at sea by the French in all the Channel but at Brest; and that Great-Britain

being an island, which cannot be attacked but by a naval power, we might esteem France effectually removed by the demolition from Great-Britain, as far as the distance from Dunkirk to Brest.

These reflections were not only a great mortification to Tugghe and the other French agents, but also gave no small offence to some of the British ministers, as appeared by the severe animadversions that were published by the authors of the Examiner. But, on the other hand, the necessity of the immediate demolition of Dunkirk was urged by several other writers, and particularly by Mr Toland, in a pamphlet intitled, Dunkirk or Dover.

1713.

the heads or entrance of the port; and the miners made preparations to blow up these forts, and the other out-works; which was done towards the end of November. But notwithstanding all this, the French found afterwards an expedient to evade the letter of this treaty, by making a new canal in Mardyke, which had a communication from the sea to the basin of Dunkirk.

Promotions.

Before the queen left Kensington, she resolved to bestow some marks of her favour on the earl of Peterborough, who, though not in any great confidence with the prime managers, had yet been instrumental in the change of the ministry in 1710, and had supported their pacific measures. He was on the 3d of August elected knight of the garter, in the room of the late duke of Hamilton; and the next day installed at Windsor, with the dukes of Beaufort and Kent, earl Paulet, the earl of Oxford and Mortimer, and the earl of Strafford; Sir Jacob Banks standing proxy for this last. About the same time the bishop of Bristol, lord privy-seal, was translated to the see of London, vacant by the death of Dr Henry Compton, a generous and good-natured man, but easy and weak, and much in the power of others. On the 8th of August, a proclamation was published for dissolving the parliament, and another, on the 17th, for calling a new one.

Letters in fa-
vour of the
pretender.

Some days before, several letters subscribed with an H (the initial letter of the earl of Oxford's family-name) were sent by the post to the mayors, and other magistrates of divers corporations, 'recommending to them to promote the interest of the pretender in the next elections; which it was suggested, would be acceptable to the queen and ministry.' Some of these letters having been transmitted to the secretaries of state, an advertisement, signed by the lord Dartmouth, was inserted in the Gazette, promising the queen's pardon, and a reward of one hundred pounds, to any person, who should discover the author of the letters. This occasioned various conjectures. Some ascribed the letters to the discontented whigs: others to the pretender's friends, both of whom hated the lord-treasurer; the whigs, for having done too much, and the others, for having done too little for the pretender's interest. On this account he was in a very difficult situation, especially, as he had been for some time upon ill terms with the lord Bolingbroke, as appears from his own letter to the queen, of the 9th of June, 1713. Before the last session of parliament, Bolingbroke had formed a scheme to put himself and

Rep. of the
Com. of
Secr.

chancellor

1713.

chancellor Harcourt at the head of the high-church party, and had opposed the duke of Shrewsbury's being sent over to France. However, with lady Masham's assistance, the lord-treasurer brought his own scheme to bear, which was, That the duke of Ormond should stay in England, to attend the army affairs, which was necessary at the time of disbanding: that the duke of Shrewsbury should go to Ireland, as lord-lieutenant, upon his return from France: that the earl of Findlater should be chancellor of Scotland; the earl of Mar third secretary of state; the lord Dartmouth privy-seal; Mr speaker Bromley secretary of state; and Sir William Wyndham chancellor of the exchequer, in the room of Robert Benson, lately created lord Bingley, and named ambassador extraordinary to the court of Madrid. This new scheme perfectly defeated that of lord Bolingbroke and his friends, which threw them into a great rage; and the lord chancellor declared the promotion of the earl of Findlater to be against law, and would not treat that earl with decency; and lord Mar and secretary Bromley received many instances of ill usage. Most of these changes were declared from the middle of August to the middle of September; and, about that time, Thomas Foley was appointed auditor of the imprest accounts, in the room of Mr Maynwaring deceased; the lord Lansdown, treasurer of the household, in the room of the earl of Cholmondeley formerly removed; Sir John Stonehouse, comptroller of the household, in the room of the lord Lansdown; the lord de la War, treasurer of the chamber, in the room of the lord Fitzharding deceased; Francis Gwin, secretary of war, in the room of Sir William Wyndham; and Thomas Moore, brother to Arthur Moore, paymaster of the land-forces abroad, in the room of Mr Bridges. About this time, likewise, the duke of Northumberland and Sir John Stonehouse were sworn of the privy-council; and the earl of Denbigh made one of the tellers of the exchequer.

All this while the party writers and managers on both sides were extremely busy in preparing the minds of the people to favour their respective interests in the new elections for parliament men. But notwithstanding the weight and influence of the court, and the visible partiality of some returning officers, a far greater number of whigs were chosen, than was by many expected.

There happened about this time an incident, which did not a little contribute to secure the treasurer's interest at court. An advertisement had been inserted in the London-gazette, A million raised in two or three days by the treasurer.

1713.

gazette, whereby it was proposed to raise three hundred thousand pounds for paying off part of the debts of the navy, by way of loan, on the security of the South-sea stock, deposited for that purpose, into the hands of the chamberlain of London, and the deputy-tellers of the exchequer. Whether monied men did not like the security, or the trustees; or whatever was the reason, not above seventy thousand pounds were subscribed into this loan in six or seven weeks; which made many believe, it would never be filled up. But, upon an order of the 9th of September by the lord-treasurer, that whoever should subscribe one hundred pounds to the loan, should be intitled to buy ten tickets of ten pounds each in the household lottery of five hundred thousand pounds, there was the next day such a croud of subscribers, both at the exchequer and Guild-hall, that more than the three hundred thousand pounds were subscribed. The treasurer improving the opportunity, enlarged the loan to five hundred thousand pounds, which in a few days was filled up, as was at the same time the lottery of the like sum: so that, by this means, the treasurer raised a million sterling in two or three days, which greatly advanced his credit and reputation (u).

A dangerous mistake discovered and rectified in regard to the regency-act.

About the latter end of the year 1713, the following incident happened: by the regency-bill, which was to take place on the queen's death, power was given to the person next in succession, to nominate as many as he or she pleased, to act with the great officers named in the bill. This was, properly

(u) The marquis de Miremont, whom the queen had sent to Utrecht with a commission to take care of the interest of the French protestants, being come over, waited on the queen, and returned her thanks for procuring the enlargement from the gallies of France of one hundred and thirty-six protestants. He desired her still to interpose her good offices for the deliverance of one hundred and eighty-five more of these sufferers, who were still detained in the gallies on the same account. The marquis de Rochegude spoke to her likewise in their behalf, and de-

livered to her letters from the States and the princess Sophia to the same purpose. The queen, who had been given to understand, that all the French protestant sufferers had been enlarged, was surprized to find, there were so many still under affliction; and desired the marquis de Rochegude to give her a list of them. The archbishop of York, lord Almoner, having likewise been informed about this matter, he seconded both the French marquisses solicitations with great zeal, which had the desired effect. About this time Charles Ross, colonel-general

1713.

properly speaking, the safeguard of the protestant succession.

The act was very particular, in directing several things to be done in that affair, by the person next in succession abroad, and by his minister or agent here. Mr William Benson, apprehending some omissions in this respect, by which the nomination could not be of any use, applied to baron Bothmar for information, and found his fears were not groundless. The act directed, that the instruments of nomination should be three in number, and transmitted hither to the resident of the person next in succession, whose credentials were to be inrolled in Chancery; and, after such inrolment, the resident was to depolite one part with the archbishop of Canterbury, another with the lord-chancellor or keeper, and the third was to remain with the resident, and that the seals of these three persons should be fixed to the covers in which the instruments were included. Now Bothmar, in whose hands one of these instruments was left, had not the character of resident; and Mr Kreinberg, who was resident, and whose credentials were inrolled, was not concerned in the matter. Nor was Bothmar's, nor Kreinberg's, nor the chancellor's seal affixed to the instruments, but the seal of baron Schutz and of the lord Cowper, who was no longer chancellor. If therefore the queen had died, whilst the matter was in this situation, these instruments could not have been opened, because the act had not been complied with. In this light Benson represented the affair to Bothmar, who de-

neral of the dragoons, and lieutenant-general, was appointed envoy extraordinary to the king of France.

Some days before a very remarkable thing happened in Scotland. George Lockhart of Carnwarth, an an vowed friend of the pretender, having been unanimously chosen member of parliament for Edinburgh; a great number of the inhabitants signed a petition, to be presented to the house of commons, for bringing in a bill to dissolve the union. This done, the populace went to the parliament close in Edinburgh, and there, by the statue of king Charles II, drank

healths to the queen, the dissolution of the union, and all true Scotch-men; and afterwards went to the market cross, and did the like, with repeated acclamations. It was likewise reported, that some Scotch merchants caused a petition to be presented to the king of France by Mr Arbuthnot, their agent at Roan, representing their grievances in point of trade, and other matters, and desiring his protection for their redress, in consideration of the antient alliances between France and Scotland. But, this application bordering upon treason, no further steps were made in it.

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1713. fired that chief justice Parker might be acquainted with it. Parker appointed a meeting of the chief persons trusted by the house of Hanover, and Bothmar was to bring his part of the deposited instruments with him. Accordingly, there was the next morning a meeting at the duke of Devonshire's, and, upon examination, all were of opinion, the whole was wrong, and that it was of the utmost consequence it should be redressed as soon as possible. Parker undertook to direct the proper forms; and a messenger was dispatched to Hanover, who returned with great expedition with instruments according to law; the first of which was to appoint Kreinberg resident, and, after the inrollment of his credentials, he had new instruments to be deposited by him, pursuant to the act. Kreinberg went immediately to chancellor Harcourt, and, delivering his new credentials, desired they might be inrolled, which the chancellor said should be done in a few days. But, the thing being delayed, Kreinberg went to the chancellor, and told him, if his credentials were not inrolled by the next post, he must acquaint the princess Sophia with it. This was resented; but, however, he was bid to come again in a day or two, at which time the chancellor delivered to Kreinberg, not his credentials, but a copy only, or a common piece of paper.

When this paper was shewn to chief-justice Parker, as delivered by the chancellor to Kreinberg, for his credentials inrolled, he was greatly surprised, and carried the paper with him to Westminster-hall (where he was then going) to shew it to the chancellor, and speak to him about it. Parker producing the paper to the chancellor told him, it had been delivered to the Hanover resident as his credentials inrolled, without saying who had done it. The chancellor, as if he knew nothing of the matter, said with great warmth, 'This is very wrong, but this is a young fellow just come into his office, his father being lately dead; but let me have the paper, and I will take care to set this matter to rights for Mr Kreinberg, if he will come to me in a day or two.' Kreinberg did not fail going, and at last got his credentials again properly inrolled about the 27th of March 1714. Shortly after the instrument appointing the persons to be added to the lords regents on the queen's decease were deposited in proper form, which had not been done before in eight years, for so long the act had subsisted, being passed in 1706.

Affairs of
Ireland.

Ireland, since the lord Wharton had resigned the government of it, was become jacobite almost without reserve

1713.

and the boldness of the papists countenanced by chancellor Phipps, alarmed the protestants, and put them upon their guard against the attempts of their enemies, who, about this time, industriously fomented the disputes occasioned by the election of a lord-mayor for the city of Dublin. The Aldermen having chosen Mr Pleasants, it was strenuously opposed by the then lord-mayor, and the decision of the affair being left to the privy-council (where the lords-justices, of whom Sir Constantine Phipps was one, had the direction) they came on the 4th of September to these resolutions:

1. That the lord-mayor of the city of Dublin, for the time being, has the right of nominating three Aldermen to be put in election for lord-mayor of Dublin; and that the lord mayor and aldermen are obliged to elect one of the three to be succeeding lord-mayor, unless just objections be made against them. 2. That the proceeding of seventeen aldermen in the election of alderman Pleasants for lord-mayor, and James King for sheriff, in the absence of Sir Samuel Cooke, lord-mayor, was a breach of the new rules; and that such elections were null and void.

Six days after the lord-mayor summoned the aldermen to meet, and proceed to a new choice; and, in pursuance of the resolution of the council, he named Sir William Fownes and aldermen Constantine and Mason, the same who were in nomination before. But twenty aldermen insisted on a previous question concerning the first in nomination, and offered some objections to him; upon which the lord-mayor having dissolved the court, nothing was determined.

In this ferment the duke of Shrewsbury found the city of Dublin, when he arrived there on the 27th of October, to take upon him the government of Ireland; and perceiving the pretender's friends had received no small encouragement from chancellor Phipps, he took all proper occasions to make good the expectations of the well affected to the revolution and the protestant succession; but more particularly on king William's birth-day, when he declared, 'He was still the same he was in the year 1688,' and publickly drank 'to the pious and glorious memory of king William.'

A new parliament being called, the struggle in Ireland between the two parties was as great as in England. The warmest contention was in the city of Dublin, where Sir William Fownes and Mr Tucker were set up by the tories, and Mr recorder Forster and Mr Burton by the whigs. The poll began on the 6th of November; and the sheriffs perceiving the electors were going into a riot, sent for some

1713. of the guards to prevent it: upon which a tumult arose, and the guards, being assaulted by the populace, fired some shot among them, killed one man, and wounded some others. Both parties immediately made their complaints to the lord lieutenant, who, the next day, appointed a committee to make a strict inquiry into the disorder, and directed the sheriffs to take the poll at two different places, to prevent the meeting and clashing of the two contending parties; and upon information, that the papists and jacobites were the chief promoters of the riot, he caused several popish chapels in Dublin to be shut up; which was very grateful to all protestants. On the 17th of November the sheriffs closed the poll; and Forster and Burton were declared duly elected by a great majority.

The parliament of Ireland being met on the 25th of November, the lord-lieutenant made a speech to both houses, importing, 'That her majesty, having procured a safe and honourable peace, had nothing now to wish, but that her subjects might enjoy the benefits and advantages of it. That her majesty had nothing more at heart, than the preservation of the rights and liberties of her people, and the settling them upon a lasting foundation, by securing the protestant succession in the house of Hanover.' He earnestly recommended to the commons, 'That, as the protestants in that kingdom were united in one common interest, they might all agree in the same means of promoting it, by laying aside all warmth or resentment; which would appear by the unanimity of their proceedings.'

Notwithstanding this caution, there was the next day a great contest in the house of commons about the choice of a speaker; Sir Richard Levinz being put up by the tory party, and Alan Broderick by the whigs; but, upon a division, Broderick was chosen by a majority of four voices.

The addresses of compliment to the queen and the lord-lieutenant having been presented, the commons proceeded in providing, by good laws, for the security of the protestant religion, against the designs of the papists. They ordered a bill to be brought in to attain the pretender, and all persons that adhered to him, of high-treason, with the promise of a reward to any person that should take the pretender alive or dead. They appointed a committee to inquire into the proceedings against Edward Lloyd, for publishing a book called, 'The memoirs of the Chevalier de St

George

George (x), and against Dudley Moore, and others, relating to a pretended riot at the play-house, occasioned by that gentleman's speaking the prologue to *Tamerlane*, in praise of king William. They confirmed the election of Foster and Burton, and unanimously resolved upon an address to the queen, for the removal of Sir Constantine Phipps from the chancellorship (y).

On the other hand, the bishops of Ireland, resolving not to leave the chancellor to the resentment of the commons, used their utmost endeavours to get a contrary address voted in the house of lords, where it was resolved, that chancellor Phipps had, in his several stations, acquitted himself with honour and integrity. And a committee being ordered to draw up the address, it was presented to the lord-lieutenant to be transmitted to England (z).

On the 21st of December, the commons, taking into consideration the state of the nation, came to several resolutions against the proceedings of those who had lately been the managers of the affairs of that kingdom (a).

Mr

(x) This book was written in defence of the legitimacy of the pretender, and of his title to the crown. Lloyd had published advertisements of his intentions to reprint that book, exhorting all good people to subscribe for it. For this he had been indicted, and the bill found in Michaelmas-term 1712. Notwithstanding which, he went about at large till July 1713; and chancellor Phipps wrote a letter to the duke of Ormond in favour of Lloyd, recommending him 'as an object of the queen's mercy, and as a person who had no evil intention in printing and publishing that book;' upon which Lloyd obtained a *noli prosequi*. See conduct of the purse in Ireland, p. 35.

(y) The commons, December 18, unanimously resolved, 1. That the memoirs of the chevalier de St George was a se-

ditionous and treasonable libel.

2. That the remiss prosecution of Lloyd was an encouragement to the popish, and other friends of the pretender. 3. That Sir Constantine Phipps, in representing Lloyd as an object of mercy, in order to obtain a *noli prosequi*, acted contrary to the protestant interest. 4. That an address be presented to the queen, to remove Sir Constantine Phipps from the place of lord high-chancellor, for the peace and safety of her protestant subjects.

(z) At the same time, Mr Richard Nuttal, a lawyer, was censured by the lords for saying, 'The lord chancellor of Ireland is a canary-bird and a villain, and has set the kingdom together by the ears, and ought to be hanged.'

(a) As these resolutions will explain the conduct of the duke of Ormond, and those employed under

1713.

Mr Moleſworth, (afterwards viſcount Moleſworth) famous for his preface to the ſtate of Denmark, being a privy counſellor in Ireland as well as member of parliament, was at the caſtle of Dublin, with ſome other members, on the day the commons preſented their addreſs againſt the chancellor: the two houſes of convocation coming thither, to preſent a contrary addreſs, Mr Moleſworth ſaid in the hearing of ſome gentlemen about him, ‘ They, that have ‘ turned the world upſide down, are come hither alſo.’ Upon this the lower houſe of convocation ſent a complaint to the upper, repreſenting, ‘ That they looked upon the ‘ words uttered by Mr Moleſworth to be an intolerable ‘ profanation of the holy ſcriptures; and that his ſpeaking ‘ them at that time, and in that place, was with deſign ‘ to caſt an odium and aſperſion on their graces and their ‘ lordſhips, and the whole clergy, and to repreſent them as ‘ a turbulent and ſeditious body. That they thought them- ‘ ſelves in duty obliged to lay the matter before the upper- ‘ houſe; not only for the reaſons above mentioned, but ‘ becauſe they conceived it to be a high affront to her ma- ‘ jeſty, and great diſreſpect to her repreſentative, the lord- ‘ lieutenant: and they humbly prayed their lordſhips to ‘ vindicate the whole clergy from this wicked culumny.’ The biſhops immediately laid this complaint before the houſe of lords; who deſired a conference with the commons, and left with them a copy of the paper delivered by the biſhops. The commons laid no great ſtreſs on that complaint; but, the matter having been repreſented in England in the moſt odious colours, Mr Moleſworth was removed from the privy-council.

It

under him, and other lord-lieutenants and juſtices, it may not be improper to inſert them:

‘ 1. That for ſome years laſt ‘ paſt there had been a deſign ‘ formed and carried on, to ſub- ‘ vert the conſtitution, and alter ‘ the government of the city of ‘ Dublin. 2. That to carry on ‘ that deſign, a corrupt and ille- ‘ gal attempt was made in 1711, ‘ to corrupt alderman Ralph ‘ Gore, then lord-mayor, by ‘ offering him a bribe of five ‘ hundred pounds, to name thir-

‘ ty-two perſons, marked in a ‘ liſt then delivered to him by ‘ Martin Tucker, eſq; ſub-col- ‘ lector of the port of Dublin, ‘ to be common-council-men ‘ for the ſaid city. 3. That it ‘ appears, on the examination ‘ of Martin Tucker, eſq; that ‘ he was ſent to offer the ſaid ‘ ſum of five hundred pounds to ‘ alderman Ralph Gore, while ‘ Sir Conſtantine Phipps, knt. ‘ lord high-chancellor of Ire- ‘ land, and lieutenant-gene- ‘ ral Ingoldſby, were lords- ‘ juſtices.

1713.

It is observable that chancellor Phipps had many champions for him in Great-Britain; every tory thinking himself obliged to vindicate him, upon the account of his zealous adhering to the church's cause in Dr Sacheverel's tryal, and giving out, that the resolutions of the commons against him 'were not of Irish growth, but the result of the joint 'counsels of the whigs of both kingdoms.' On the other hand, the whig-party loudly justified the proceedings of the Irish house of commons against that minister, who, to say no worse, had been the occasion of unhappy distinctions among the protestants of that kingdom (b). These divisions

'justices. 4. That the city of
'Dublin had, of late, been, and
'still continued, in great disorder and confusion, by reason
'of the frequent disapprobations of persons elected lord-
'mayors and sheriffs of the said
'city, all of them of known
'affection to her majesty's person and government, and to
'the constitution in church and
'state. 5. That Sir Constantine Phipps had been the chief
'cause and promoter of such
'frequent disapprobations, and
'thereby the occasion of the
'said disorder and confusion. 6. That, since the making the
'new rules 1672, until Sir Constantine Phipps arrived in that
'kingdom, no person elected
'lord-mayor of the city of
'Dublin, had been disapproved, except in the government
'of the earl of Tyrconnel. 7.
'That the council board had
'not at this time, nor had not
'since the time (given them by
'the act of explanation) expired, any power to make
'rules or orders for regulating
'the election of magistrates in
'any corporation in that kingdom. 8. That the right of
'election of lord-mayor of

'Dublin is in the lord-mayor
'and aldermen of the said city;
'and that the aldermen are in
'no sort restrained in the choice
'of the succeeding lord-mayor,
'to one of any three persons
'nominated or proposed, to be
'put in election by the lord-
'mayor.'

(b) We have a large account of his behaviour there, in a pamphlet printed at London in 1714, in 8vo, intitled 'The conduct of the purse in Ireland: in a letter to a member of the late Oxford convocation, occasioned by their having conferred the degree of doctor upon Sir Constantine Phipps.' The author observes, p. 10. 'That he will not take upon him so far to judge Sir Constantine, as to say, he was an enemy to the protestant interest and protestant succession. I will, says he, suppose, that he might not have had any intention of prejudicing either the one or the other. But whether it hath happened through mistake, or through passion, and too warm a pursuit of his own particular quarrels and resentments, or of the resentments of others; whether

1713.

fions gave so great encouragement to the pretender's friends, that men were almost publickly enlisted into his service; of which the commons took notice in their votes of the 22d of December. And the grand jury of the county of Dublin having

' whether he hath been mis-
' guided by the misrepresenta-
' tions of men and things, or
' the true interest of the coun-
' try, where he resided, or of
' the true temper and genius of
' that people; whatsoever his
' intentions really were, I think
' I may very confidently affirm
' this, that, had a professed
' enemy to the protestant inter-
' est of that kingdom been
' placed in that government,
' when he was, such person
' could not with any discretion
' or safety have pursued mea-
' sures more likely to divide,
' weaken, and subvert the pro-
' testant interest of that king-
' dom, than this doctor hath
' pursued from the time of his
' landing there.' The author
remarks, p. 19. that before Sir
Constantine's arrival in Ireland,
the inhabitants knew little of
the distinction of whig and
tory, of high-church and low-
church: these divisions had not
affected them in any degree;
the chief distinction amongst
them was that of Papist and
protestant. But soon after his
arrival the distinctions of whig
and tory were propagated with
great industry, and those, who
were of the first class, fell un-
der his displeasure, and were
displaced from their employ-
ments, and as far as was in
the power of him, or his wife,
or their dependents, by their
solicitations or influence to ef-
fect, they were removed from,

or cramped in all manner of bu-
siness or trade, by which they
got their livelihood: and he
descended so low, when in the
government, as in person to sol-
licit gentlemen to change their
taylor, and their other trades-
men, upon these accounts. In-
formers, or, as they call them,
liars, were encouraged to put
themselves into the companies
of gentlemen, and to report
to the government what was
said there. Several gentlemen
of West Meath, for having only
drank the health of the duke of
Marlborough and the late lord
Godolphin, were accused by a
friar, one of the new converts,
of having formed a plot against
the government, and thereupon
were sent for in custody of mes-
sengers. Other gentlemen were
informed against for words of
little or no signification. In a
word, an end was put to almost
all conversation, and to the in-
tercourse of all good offices,
charity, and love amongst pro-
testants. And though the disco-
veries were of very little signi-
ficance; yet the trouble given to
gentlemen by these informa-
tions was so considerable, that
the whole seemed as it were de-
signed to convince protestant
gentlemen, that the govern-
ment had no mind to let them
meet together at all, The
rooms of the gentlemen dis-
placed (excepting the place of
attorney and solicitor-general)
were filled up for the most part
with

having made a presentment of that traiterous practice, and laid it before the lord-lieutenant, a proclamation was issued out for apprehending lieutenant Butler in lord Galway's regiment, who had enlisted William and Michael Letry

with persons of little or no fortunes, and such as were most remarkable for a temper violent against the dissenters, and moderate towards the papists. Such, and the new converts, were chiefly the objects of his favour, and were brought into all stations, magistracies, and employments. But the corporations being in the hands of men, who were thankful for the revolution, in order to reform them, the chief governors and the privy-council, having an authority of approving or disapproving the elections of magistrates of most corporations in that kingdom, (which authority was vested in them by act of parliament, only with intent to exclude papists and persons popishly inclined;) as it was not to be imagined, but in every corporation the doctor might find some one or two men willing to prostitute themselves to his will and pleasure; so having found such, he prevailed with a majority of the privy-council to concur with him in disapproving the election of every other than such person; hereby straining the power of approbation into that of a nomination. By this means several corporations conceiving they had a power of electing their own magistrates, and not willing to put their privileges into the hands of such, as they thought they could not trust,

who were generally such as your doctor had a mind for, they were obliged to infinite elections, returns, and attendances upon the privy-council; and, all being disapproved, without any manner of reason given, some corporations continued without magistrates for several months; some for above a year; and during such time, in the utmost confusion and disorder, especially in Dublin. There creditors had no way to recover their small debts: there were no sheriffs to execute writs upon any account; no criminals could be tried or executed; no mayor to correct the abuses of the bread, and other markets: no justice could be had; and when his agents had raised a tumult against the aldermen and others (who conceived themselves bound by oath to maintain the privileges of that corporation, one of which was the freedom of electing their own magistrates) by representing them as factious persons, who flew in the face of the government; in these disorders there was no magistrate to keep the publick peace; and when protestants were knocking one another on the head, and the papists were chearfully yielding their hand to that work; a young protestant officer, who had charitably interposed with some soldiers to prevent bloodshed, was confined, and threatened to be cashiered

1713.

Lettry to serve the pretender, and told them, he had enlisted fourteen men more for the same purpose.

This parliament not being relished by the ministry in England, the duke of Shrewsbury received orders to prorogue them; but, before he did it, he sent for the speaker of the house of commons out of the country, and told him, the queen was willing to give them an opportunity to do themselves justice: but, if they did not proceed with unanimity at their next meeting, he had orders to dissolve them. As the parliament was by no means disposed to acquiesce in all the ministers measures (which was the meaning of 'proceeding with unanimity') they sat no more in this reign. The duke himself did not much like his situation, and, having constant intelligence of the ill state of the queen's health from Dr Shadwell, one of her physicians (c), he thought it too dangerous for him to be absent from court in so critical a juncture, as her disease was like to be. So he desired and obtained leave to return to England. Chancellor Phipps and archbishop Lindsey, with the archbishop of Tuam, were appointed justices of Ireland (d).

shiered for his pains, by a very good friend of your doctor's, if not at his request. Thus hath the doctor divided and set the protestants of Ireland together by the ears; he hath heightened their animosities to a degree that hath never before been known in that country; in so much that, had the least attempt been made upon that kingdom, they must in all probabillity have fallen an easy prey to their mortal enemies the papists.

(c) He used to write to the duke and dutchess of Shrewsbury under the name of J. Smith.

(d) The duke of Shrewsbury had reasons, both of private and publick concern, to wish himself in England. He had not been long in Dublin, before he found

that he was little more than the pageant of the government of Ireland, of which the main springs were in the lord-chancellor's hands: for, upon the decease of Dr Narcissus Marsh, archbishop of Armagh, the duke designed to have advanced to that primacy his kinsman, Dr Talbot, bishop of Oxford: but, upon the recommendation of Sir Constantine Phipps, Dr Lindsey, bishop of Raphoe, was immediately preferred, as a person ready to go all lengths, to favour the scheme in hand. From this, and other instances, the duke began to surmise, either that the lord-treasurer's professed friendship slackened, or that his interest was upon the decline.

In England all disguise was now thrown off by the Jacobites, and the pretender's right to the crown was publicly maintained in a large volume, called, 'The hereditary right of the crown of England asserted: the history of the succession since the conquest cleared, and the true English constitution vindicated from the misrepresentations of Dr Higden's view and defence, &c.' The author, after having shewn in the introduction, 'that allegiance is not due to all powers in possession' (e), endeavours to prove,

1713.

Account of
the book
called here-
ditary right.

(e) In the introduction the author pretends, 'That the first time, the duty of paying allegiance to powers in possession began to be taught in this kingdom, was, during the usurpations, which succeeded the death of king Charles the First. That in all former revolutions the princes, who got possession of the crown, claimed it by some right, and never insisted on possession as right. But, the rump parliament, and Cromwell, and the following usurpers, having no tolerable pretence to any claim of right, their friends were reduced to a necessity of pleading possession, as a right to obedience; and several books were then published by papists, fanatics, and deists, to enforce and prove it. But that this principle was then generally rejected by all the members of the church of England, and by many presbyterians, who maintained, that allegiance was due to the rightful king, who was not in possession. That, after the restoration, the acts and judicial proceedings of the governments proceeding were all null and void, except such as were authorised by a new law. And it was declared by an act of parliament, that all

the said powers before in possession were 'rebellious, wicked, traiterous, abominable usurpations: detested by this present parliament.' That here the constitution was again resettled on its ancient foundation, not in possession, which all the usurpers had, but upon the undoubted right of the lawful heir, who had been out of possession, and of his heirs and lawful successors: and that, agreeably to this constitution to that reign, it was the constant doctrine of lawyers and divines, that allegiance was not due to all powers in possession. That the revolution, which happened after, was begun, carried on, ended, and justified on these grounds, that allegiance was not due to all kings in possession: that king James was lawfully deprived; and that king William and queen Mary were lawfully put in possession. But these positions did not suit with the principles of many lawyers and divines, who had constantly maintained, that the deposition of a lawful king was absolutely unlawful, by the law of God, and the laws of this kingdom. Therefore, to justify the translation of their allegiance, the former opinion, that seemed buried at the restoration,

was

1713.

prove, 'That the people's submission to such kings; as were not heirs to the crown by immediate descent, is no argument, that possession gives right to allegiance.' And, to elude the force of Dr Higden's arguments against hereditary right, grounded on the several deviations from the lineal descent in the succession of the crown since the conquest, he maintains, that the kings of England had anciently a power of disposing of the crown by testament: that the consent, resignation, and cession of the rightful heir were certainly sufficient to make kings *de facto* rightful: and that therefore submission might be paid them on one of these accounts. This being a point very material to the author's design, he endeavours to evince it by the example of William the Conqueror, whom he asserts to have been a lawful king in both these regards, and justifies Edward the confessor's nomination of him for his successor (f). Then he labours to prove, that William Rufus and

was revived; viz. That 'allegiance was due to all powers in possession; and many eminent members of the church of England received it, as consistent with the doctrine of nonresistance. That divers treatises were then published by divines and lawyers to defend it; particularly, 'the unreasonableness of a new separation and the case of allegiance to sovereign power.' That the instances of history and parliament records, used in the first, were enquired into by an exact and faithful historian, and unanswerably refuted: and the arguments of the last, from scripture and reason, the doctrine of the church, and the laws of the kingdom, were refuted likewise by several writers. That no reply of moment being made, that controversy seemed to be buried again, till Dr Higden thought fit to examine the dispute again, and was convinced, that allegiance was due to kings in fact, by laws

divine and human. But that as the doctor's opinion makes the most unjust possession (as was Oliver's) rightful, and destroys the hereditary right, so long established by the constitution, the author has followed him through all his labyrinths, refuted his arguments, and rectified his errors.

(f) What the author insinuates on this occasion deserves particular notice: if it be said that Edward the Confessor was an unjust possessor, his nephew, by his elder brother, being then living, to whom he ought to have resigned the crown: I answer, that, when histories are silent, it does not become private men to be forward in passing judgments on the actions of princes. The authors, who have transmitted to us an account of Edward's reign, say nothing upon this subject; either that the descendants of Edward Ironside laid claim to the crown; or that king Edward discovered

any

and Henry the First were also lawful kings. This done, he comes to king Stephen, whom he calls the first usurper, and pretends, that, 'in his reign, the most turbulent of any, there were no footsteps of Dr Higden's principle,' of allegiance being due to kings *de facto*. On this occasion the author mentions particularly the earl of Gloucester, who owned himself bound in conscience to the right of the empress Maud; the king of Scotland, who suffered much in defence of her right; and the behaviour of the clergy, who made a distinction between king Stephen and a king *de jure*; shews what influence the pope's pretended power of setting up kings had in those days; and asserts, That our historians date Stephen's reign from his agreement with Henry; which concurs with the author's main design, which is to establish a testamentary and cessionary right, in order to account for the allegiance which, at divers times, the clergy, nobility, and people, have paid to unlawful possessors of the throne. In the same views he passes on to Henry the Second, whom he maintains to have been a rightful king, because it is most probable, that his mother, the empress Maud, had resigned her right to him. Here he

any inclination to do them justice, at least till the eleventh year of his reign: but it may, possibly, be unreasonable from hence to infer, that all that time he was a wrongful possessor, because cases may be supposed of princes, who, for want of power and opportunity of doing right to the lawful heir, are forced to endure the burden of a crown, which they would readily and gladly ease themselves of, upon a proper occasion: as when the rightful heir is abroad in a distant kingdom, and perhaps at the disposal of a foreign prince, on whose will and pleasure his return to his country chiefly depends. When the possessor of a throne has this to plead for himself (which may be true of king Edward for any thing that can be alledged to the contrary) I may appeal to

the severest interpreters of the actions of princes, whether the exercise of royal power, in such circumstances, can be charged with usurpation; or, as some chuse rather to express themselves, whether such a person is only a king *de facto*: for it is not the bare seizing, and filling a throne, but the will of the possessor, that must denominate him an usurper. He that invades another's right, with an intention to detain it from him, and a resolution never to restore it to the true proprietor, is certainly guilty of the highest injustice; but if he accepts of a crown, only that he may secure it to the right owner, and the better disappoint the designs of his enemies, most certainly he obliges him by a very extraordinary act of friendship.

1713.

answers Dr Higden's argument from a passage in our histories; discovers a mistake committed by the compilers of them; defends bishop Merks against Dr Higden's reflections upon his pretended submission to Henry IV; argues against the doctor, who says, there were no nonjurors under kings de facto; and pretends, that ought to be presumed, till the contrary is proved; and produces instances of several, that ought to be reputed such. He also takes notice, that in those days the inferior clergy were not obliged to take oaths of allegiance; and suggests, that, had the clergy of England enjoyed this privilege, at the time of the late revolution, near four hundred of them had quietly continued in possession of their livings, of which they were for no other reason deprived, but because they were nonjurors, &c. The author asserts, that a king de facto 'is not legally qualified to give a commission to judges; nor are proceedings in his courts of judicature of any authority. He cannot create a nobleman, or make a bishop. All his presentations to benefices are voidable. All lands bestowed upon him are resumable, at the pleasure of the rightful successor.'

Octob. 17.

Kennet's
wisdom of
looking
backwards,
p. 317.

Bedford pro-
secuted for
the book.

This book was not only advertised in the London-gazette, with particular allowance (as was then reported) of Mr secretary Bromely, but dispersed and recommended with great industry; and many copies of it were given gratis, by some men in power, to several officers of the army. It was said likewise to have been presented to the queen herself by Mr Robert Nelson. As it was obvious to every reader, that the design of this performance was to prepare the way for the restoration of the pretender, the well-affected to the house of Hanover could not but be alarmed at it; especially as the book came abroad with remarks of distinction and publick countenance, not to mention the quotations in it, out of some manuscripts in the library of the lord-treasurer. However, the ministry thought it necessary to animadvert upon it; and Mr Richard Smith, the bookseller, having, by a warrant from the lord Bolingbroke, been brought to his office, and there examined, he declared, that Mr Hilkiah Bedford, a nonjuring clergyman, had delivered the copy to the printer. This being owned by Bedford, they were both bound over to appear before the court of queen's-bench. But, though a prosecution was afterwards, for form-sake, begun and carried on against Bedford, yet it was the general opinion, that he had but a small share in that performance, which was

judged

judged to be the result of the joint labours of several non-jurors (g). This book was soon refuted in several answers, of which one was supposed to be written by Mr Wills, then Fellow of All-Souls college in Oxford, and now lord-chief-justice of the common-pleas, intitled, 'The present constitution and the protestant succession vindicated.'

About this time it was publicly declared, that the queen had granted a pardon under the great-seal to Daniel de Foe, against whom an information of high-treason had been lodged, for writing three pamphlets, which seemed to favour the pretender's interests (h). De Foe pardoned.

By

(g) In the introduction to one of the answers, called *Treason unmask'd*, the author says, 'This book contains a great variety of historical facts, positions and arguments, couched in an elegant, flowing stile; but then there are in it so many glaring contradictions and inconsistencies, that it is hardly credible the whole piece should be the work of any one man. For here any tolerable attentive reader may find history clashing with history; law destroying law; and divinity refuting divinity, in cases exactly parallel: a fault I will not charge upon any single person, till I am convinced that a too favourable opinion of gentlemen, and men of letters, led me into a mistake.' But it is now known that the real author of the book was one Mr Harbin, a nonjuring clergyman, who died the last year, 1744.

(h) The first intitled, 'Reasons against the succession of the house of Hanover, with an inquiry, how far the abdication of king James, supposed it to be legal ought to

'affect the person of the pretender: The second intitled, 'And what if the pretender should come? or some considerations of the advantages and real consequences of the pretender's possessing the crown of Great-Britain.' And the third called, 'And answer to the question that no body thinks of, viz. What if the queen should die?' The preamble to the patent of pardon set forth, that Daniel de Foe had by his humble petition represented to her majesty, 'That he, with a sincere design to propagate the interest of the house of Hanover, and to animate the people against the designs of the pretender, whom he always looked upon as an enemy to her majesty's sacred person and government, did publish the said pamphlets; in all which books, although the titles seemed to look as if written in favour of the pretender, and several expressions, as in all ironicle writings it must be, might be wrested against the true design of the whole, and turned to a meaning quite different

1713.

Sixteen Scots
peers chosen.
Oct. 8.

Promotions.

By this time the elections for parliament-men were over; and, in North-Britain, the nobility had chosen such representatives as were most of them ready to concur in all the queen's measures; namely, the duke of Athol, the earls of Mar, Eglinton, Kennoul, Loudoun, Findlater and Seafield, Selkirk, Northesk, Dundonald, Broadalbin, Dunmore, Orkney, Roseberry, Portmore, and Kilsyth, and the lord Balmerinloch: and, in order to attach yet more the earl of Dunmore to the court, he was, not long after, declared colonel of the Scots regiment of foot-guards, in the room of the marquis of Lothian. About the same time, the regiment of dragoons, lately commanded by Sir Richard Temple, was given to major-general Evans; and the regiment of horse of the marquis of Harwich (son of the duke of Schomberg) lately deceased, to major general Syburg. Some time before, Mr Richard Steele, being chosen for the borough of Stockbridge, thought fit to resign his place of one of the commissioners of the stamp office. About the same time the lord Willoughby of Brooke was made dean of St George's chapel in the castle of Windsor: but Dr Smalridge, being named to succeed the lord-privy-seal, as bishop of Bristol, declined that offer.

The parliament further
prorogued.

On the 18th of October, the parliament was, by proclamation, further prorogued, from the 12th of November to the 10th of December, which was occasioned

' from the intention of the au-
' thor; yet he had humbly as-
' sured her majesty in the so-
' lemnest manner, that his true
' and only design, in all the
' said books, was, by an ironi-
' cal discourse of recommend-
' ing the pretender, in the
' strongest and most forcible
' manner to expose his designs,
' and the ruinous consequences
' of his succeeding therein;
' which will appear by the
' books themselves, where the
' following expressions are very
' plain, viz. that the pretender is
' recommended as a person pro-
' per to amass the English liber-
' ties into his own sovereignty;
' supply them with the privileges

' of wearing wooden shoes;
' easing them of the trouble of
' choosing parliaments, and the
' nobility and gentry of the ha-
' zard and expence of winter
' journies, by governing them
' in that more righteous method
' of his absolute will, and in-
' forcing the laws by a glorious
' standing army; paying all the
' nation's debts at once by stop-
' ping the funds, and shutting
' up the exchequer; easing and
' quieting their differences in
' religion, by bringing them to
' the union of popery, or leav-
' ing them at liberty to have no
' religion at all.' Daniel de
Foe's Appeal to honour and ju-
stice, p. 33.

by

by the queen's illness, and the contests among the ministers. It was then strongly reported, that the lord Bolingbroke, Mr secretary Bromley, and Sir William Wyndham (who, on the 1st of November, was made a privy-councillor) having gained the ascendant, the lord-treasurer entertained thoughts of retirement. And, indeed, the author of the paper, called the Examiner, thought fit, about the middle of November, to prepare the minds of the people for an approaching change in the ministry (i). But what appeared more surprizing, was the ludicrous stile in which the same author, who was the mouth of those in power, spoke of the queen's indisposition, and of the succession in case of a demise (k).

1713-14.
Jars at court.
Annals.

Whilst

(i) In the Examiner of November the 16th, the author suggests, 'That in a constitution, which hangs together by so many minute parts, and which depends upon such variety of wheels and motions, where power and freedom are in a perpetual flux and reflux, we must of necessity be liable to turns and contingencies — That this uncertainty is redoubled, wherever strife and contention are let loose in a nation, where factions rage and worry one another; and even the government itself is treated as a party — Thus, under these circumstances, a ministry is obliged to act in another capacity than that which properly belongs to them. They must sometimes act like military as well as civil officers; draw forth their forces, and appear at the head of squadrons and battallions, whenever faction takes the field, and declares open war against them. There wants but very little of bringing things, as they now stand, to

' this deplorable crisis — That the possession of power under these difficulties, is almost as great an uncertainty, as the fortune of war, and stands exposed to as many turns and cross accidents — And that these considerations amount to a full proof, that the best of patriots are more exposed to mortality, as ministers of state, than as men, &c.

(k) The Examiner of January the 8th, 1713-14, contains what follows:

' According to the best advices sent us by the whigs, and their oracles, the demise of the crown happened upon Thursday the 24th of December, being Christmas-eve, at four of the clock in the morning, in the year 1713. All ages, ranks, sexes, and orders of men, at first hearing of the ill news, were affected with the deepest sorrow; and a general panic ran through the whole kingdom. For a long time, we were distracted and inconsolable; in the utmost horror and confusion, upon

1713.

The Crisis
published by
Mr Steele.

Whilst things were in this dangerous situation, Mr Steele published his *Crisis*, or ‘a discourse representing, from the most authentic records, the just causes of the late happy revolution, and the several settlements of the crowns of England and Scotland on her majesty; and, on her demise without issue, upon the most illustrious princess Sophia, electress and duchess-dowager of Hanover, and the heirs of her body being protestants; by previous acts of both parliaments of the late kingdoms of England and Scotland; and confirmed by the parliament of Great-Britain: with some remarks on the danger of a popish successor.’ The design of this piece was first suggested to Mr Steele, by Mr Moore of the Inner-Temple; and the work itself passed through the hands of Mr Addison, Mr Lechmere, and Mr Hoadly. And it was so well received by the publick, that many were confirmed by it in their affection to the protestant succession.

Account of
the queen’s
illness.

All this while the queen continued in a very dangerous state of health at Windsor; of which various accounts were spread abroad; but the truth was thus, as represented by Dr Shadwell, in his letters to the duke and duchess of Shrewsbury: ‘On Wednesday the 23d of December, her majesty was very uneasy all night with the gout in her foot. The next morning it went entirely off, and she said she was well. But, about one o’clock that day, she complained of a pain in her thigh, and was seized with a violent shivering, which lasted above two hours. Extreme heat followed, with intense thirst, great anxiety, restlessness, and inquietude. The pulse was full, hard, and quick; which Dr Shadwell finding, the next day, he very much pressed bleeding, urging, it would probably carry off a good part of the fever, and bring a fit of the gout; but it was not agreed to; and these

the loss of our most excellent queen, who then became immortal: but these black clouds were soon dispersed, our fears and jealousies vanished, and we revived from a deplorable state of grief and misery, at the first joyful tidings of the happy accession of her most sacred majesty queen Anne the second (whom God long preserve) to the throne of her ancestors: the nature of our monarchy being such, that, immediately after the death of the person in possession, the crown, by right of inheritance, descends to the next heir, without any previous formalities and conditions, or admitting so much as the least vacancy, or interregnum, &c.

‘symp-

1713.

symptoms continued till Saturday morning, when her majesty fell asleep, waked refreshed, and - on Sunday morning there was a perfect intermission of the symptoms; but the pulse, in Dr Shadwell's opinion, was not quiet. The next night about twelve, she was attacked with an exacerbation of the fever, which lasted all the Monday till midnight. Most of the queen's physicians judging her distemper to be an ague, proposed and pressed the giving her the jesuit's-bark; but, though this was warmly opposed by Dr Shadwell, yet the physician, who watched that night, gave it, saying, he found the pulse calm. No exacerbation appeared after this: but nevertheless Dr Shadwell still declared, he did not like the pulse: that there was no perfect intermission of the fever; but that the pulse was at work, to separate the morbidick matter into the gout, or some worse shape. The pains of the thigh increasing, till three or four doses of the bark were given, Dr Shadwell laid a stress upon having that part examined; but the other physicians called it a fit of the gout. Dr Shadwell answered, it could not properly be called so in the muscles; and being of opinion, that this was an inflammatory fever from the translation of the gout, and not a common ague, or intermitting fever; and finding, that, after thirty-nine hours continuance, there was a perfect remission, but no intermission, he made a prognostick, that, unless the feverish matter were separated, and thrown off into a smart fit of the gout, a worse symptom might happen; as its falling into the thigh, and fixing into an erysipelous tumour. This opinion was justified by a severe fit of the gout, that came upon her majesty a few days after, and gave some hopes of her intire recovery.

While the queen was in this uncertain state of health, the minds of the several parties were variously agitated. The friends of the pretender believed, that all things were preparing for his restoration; and, on the other hand, the alarm of the well-affected to the Hanover succession was not a little increased upon the news, that a squadron of fourteen men of war was fitting out in the ports of France; and that they were to take on board twelve or fourteen thousand land-men. The publick funds fell gradually from the beginning till the end of January; when such a panick seized on a sudden the monied men, that there was a great run upon the bank for some days. The directors sent four of their members to the lord-treasurer, to represent the dangers,

1713. which threatned the publick credit, and to desire his advice and assistance. The treasurer received this application very favourably; endeavoured to dispell their fears; and promised to use his utmost endeavours to support the bank in this exigency. The doubts, which were still entertained about the queen's health, being one of the chief occasions of the publick alarm, she, by the advice of her ministers, wrote the following letter to Sir Samuel Stanier, lord-mayor of London :

ANNE, R.

The queen's
letter to the
lord-mayor.

" Right trusty and well-beloved, we greet you well,
" Although an aguish indisposition, succeeded by a fit of
" the gout, has detained us at this place longer than we de-
" signed; yet since it has pleased almighty God to restore
" us to such a degree of health, that we hope to be able
" soon to return to our usual residence, we continue de-
" termined to open our parliament on Tuesday the 16th
" of this instant February, according to the notice given
" by proclamation. Thus much we have judged proper
" to communicate to you, and by you to the court of
" aldermen, and to our loving subjects of our good city of
" London, to the intent that you may all, in your several
" stations, contribute to discountenance and put a stop to
" those malicious rumours, spread by evil-minded per-
" sons, to the prejudice of credit, and to the imminent
" hazard of the publick peace and tranquillity. And so we
" bid you farewell."

Given at our castle at Windsor, the first day of February,
1713, in the twelfth year of our reign.

By her majesty's command,

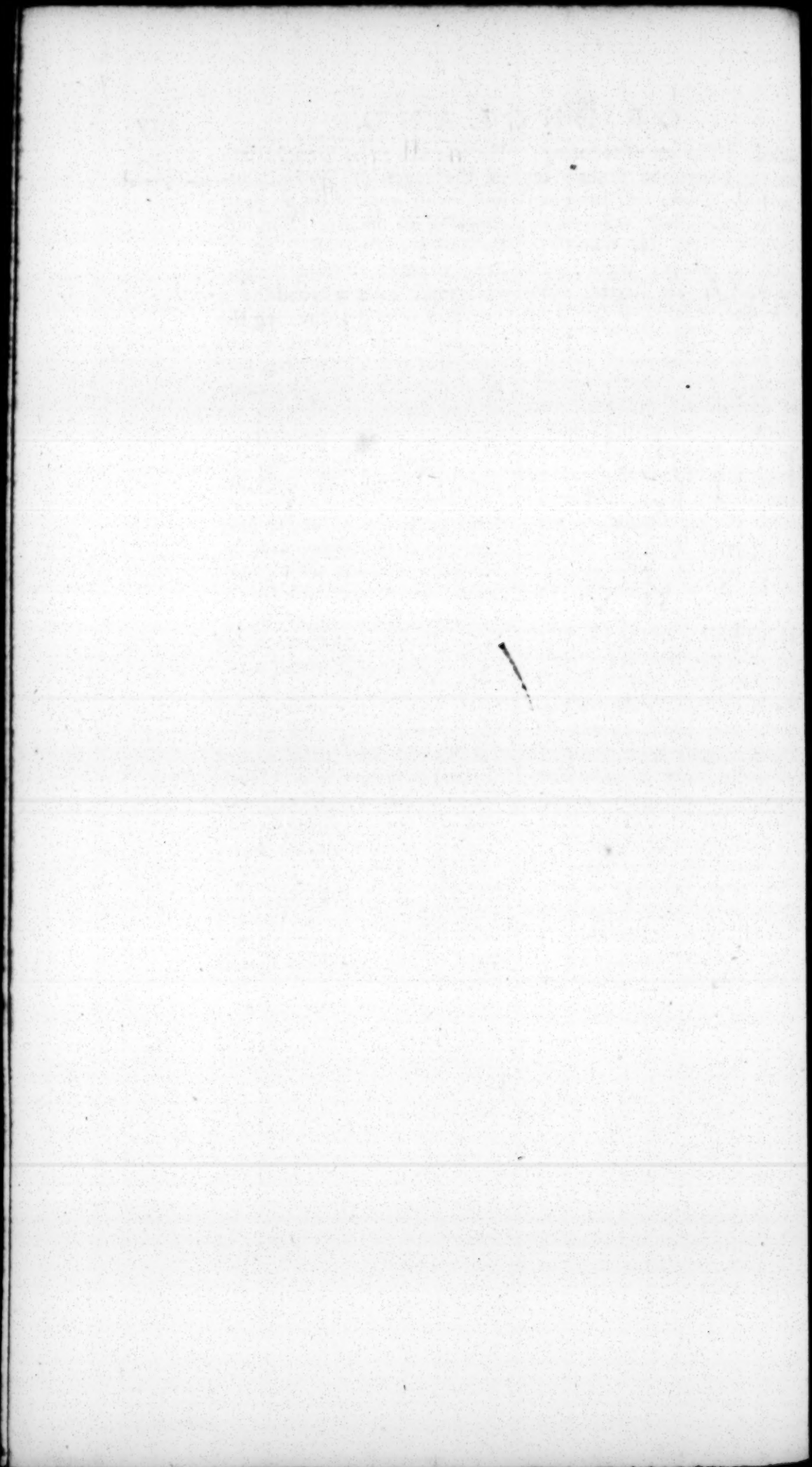
BOLINGBROKE.

This letter, and the news, which at the same time came from Holland, that the troops, which had been reported to be assembled in the Bolognese, were mere chimera's and that the pretender continued in Lorrain, dispelled the fears of the generality, and soon put a stop to the run upon the bank (1).

(1) While the nation was in apprehensions, there was published a remarkable pamphlet, intitled,

intituled, 'The art of restoring;
'or the piety and probity of
'general Monk, in bringing
'about the last restoration,
'evinced from his own au-
'thentick letters: with a just
'account of Sir Roger, who
'runs the parallel as far as he
'can: in a letter to a minister
'of state at the court of Vi-
'enna.' This piece was level-
led against the treasurer, and
contributed the more to render
him obnoxious to the friends of
the protestant succession, when
it was known to be the perfor-
mance of Mr Toland, a per-
son formerly intrusted and em-
ployed by that minister. To
remove these suspicions, the
treasurer thought fit to have the
reputed author of the late trea-
tise, asserting hereditary right,
brought to his trial; and Bed-
ford being found guilty of pub-
lishing that book, he was sen-
tenced, 'to pay a fine of a
'thousand marks; to be com-
'mitted to the queen's-bench
'prison, till he paid the same;
'to remain in custody there for
'the term of three years; to
'find four sufficient sureties,
'who, with him, were to be
'bound in a recognizance of
'five thousand pounds for his
'good behaviour during life,'

He was also to be brought into
all the courts of Westminster-
hall, with a paper on his head
denoting his offence. But, af-
ter sentence was passed, an or-
der was produced from the go-
vernment, countersigned by a
secretary of state, directing the
judges of the Queen's-bench to
superfede the ignominious part
of the punishment, by reason
of the sacred function of the
criminal; which proceeding, as
Mr Lechmere observed in a
speech, 'could bear no other
'construction, than as a license
'and protection to men in holy
'orders, to propagate that de-
'structive position with impu-
'nity; and the character of the
'person, which ought in ju-
'stice to have aggravated his
'guilt, and heightened his pu-
'nishment, became his indem-
'nity against the reproach of
'it, even by the authority of
'the government itself, against
'which that treatise was level-
'led. This indulgence appear-
'ed the more glaring, confi-
'dering what severities were,
'at the same time, exercised
'against those persons, who
'had courage enough to assert
'the interest of their country,
'and of the protestant succes-
'sion.'



T H E

H I S T O R Y

O F

E N G L A N D.

BOOK XXX. PART I.

From the Year 1713. to the Death of Queen Anne.

C H A P. II.

Conferences at Radstadt not communicated to the queen's ministers.—The fourth parliament of Great-Britain.—The Affiento-contract objected against.—The queen's speech on the peace with Spain.—Complaint of a libel.—Steel expelled the house of commons.—Debate on the state of the nation. A remarkable declaration.—Removals and promotions.—Measures taken by the whigs to secure the protestant succession.—Debates about the Catalans.—About the pretender.—The protestant succession voted out of danger.—A demand of king James's queen.—A writ demanded for the duke of Cambridge.—Account of the late treaties laid before the commons.—Address of thanks for the same. The queen's letter to the princess Sophia and to the duke of Cambridge about his coming over.—Death of the princess Sophia.—The schism bill.—Proclamation for apprehending the pretender.—Proceedings of the lords about him.—Debate about the Spanish trade.—Parliament prorogued.—Open rupture among the ministry.—Lord-treasurer Harley removed.—Great confusion at court.—The queen's illness. The late ministers reflected on for leaving the sea-ports unprovided.—Queen Anne's death and character.

T H E

Conferences
at Radstadt
not commu-
nicated to the
queen's mi-
nisters.

THE conferences held at Radstadt towards a treaty between prince Eugene of Savoy and the marshal de Villars were managed with such secrecy, as gave no small uneasiness to the two maritime powers, and was generally looked upon as a slight upon Great-Britain. The earl of Strafford, who still continued at the Hague, was ordered to confer upon it with the deputies of the States, to whom he made a long harangue. The substance of what he said will be plainly seen, in the answer returned by the States a few days after to the earl of Strafford: ' They thanked him for the assurances of friendship he gave them on the part of her majesty of Great-Britain, and offered to concert with her the measures proper to be taken for the security of the protestant religion, especially in the empire, and for procuring the abolition of the clause of the fourth article of the peace of Ryswick. As to the apprehension of a new war in Italy, the States hoped, that, by the peace of Radstadt, the emperor and the king of France had provided for the tranquillity of that country; and that they had likewise regulated the affairs relating to the duke of Savoy, and to Sicily; for this reason, and because the conditions of that peace were not yet known to them, they could not, at present, enter into deliberation with the earl of Strafford upon those matters. That, as to the treaty with Spain, the States had the regards they ought to her majesty's recommendations, for the interests of the princefs Ursini; but that they had given such good reasons, why they could not agree in a guarantee, that the king of France, and even the king of Spain, had acquiesced in them. That, for this reason, the States promised themselves, from the queen's goodness and equity, that she would not insist upon a thing, which even the king of Spain himself had let drop. That, as to the affairs of the Spanish Netherlands, the States would always be ready to confer with the earl of Strafford on the points relating to the interests of those countries. As to the town of Ostend in particular, they declared, that they would withdraw their troops from thence, and deliver it into the hands of Walloon troops, as soon as Dunkirk should be demolished; provided, at the same time they were

put

1713.

' put into possession of the castle of Ghent, as by the
 ' treaty of barrier they ought: but that the States
 ' were absolutely of opinion, it would be proper to
 ' communicate these things to the emperor, and to act
 ' in concert with him, it not being to be doubted,
 ' that the Spanish Netherlands were yielded to him by
 ' the peace of Radstadt. That they were extremely
 ' glad of the declarations her majesty had caused to be
 ' made to them, of her willingness to withdraw her
 ' troops from the castle of Ghent; as also from Bruges
 ' and Newport; and to assist the States in recovering
 ' from Brabant the million, which by the treaty of
 ' barrier they ought to have from that province; but
 ' as to the conditions, which were added to that de-
 ' claration, the States expected from her equity and af-
 ' fection, that it would not be her intention, that the
 ' effect of these things should be made dependent on
 ' some conditions, which were not expressed in the
 ' treaty of barrier; and that, on the contrary, she
 ' would be pleased to look upon that treaty as a mea-
 ' sure and a rule, as the States did on their part; and
 ' that she would not join the execution of it to condi-
 ' tions, which are new and foreign to that treaty.
 ' That they had a common interest with the queen in
 ' securing the freedom of commerce in the Baltick:
 ' that they were not yet in a condition to take a po-
 ' sitive resolution thereupon; but, when they were,
 ' they would confer about it with the earl of Straf-
 ' ford.'

The earl was now very busy in negotiating with the
 ministers of the protestant princes of Germany, or de-
 putations from the protestants, to assist at the congress
 at Baden in Swisserland, for concluding a peace between
 the emperor and France, pursuant to the resolution
 taken at Radstadt. But it was generally suspected,
 that this proceeding of the English ministry was ra-
 ther to perplex the emperor, than to favour the protes-
 tants; and therefore, when the earl of Strafford declared
 to the ministers of the protestant electors and princes of
 the empire, ' That the queen, his mistress, had received
 ' the letter, which the protestant body had written to her
 ' from Augsburg, touching the clause of the fourth article
 ' of the treaty of Ryswick: that her majesty would spee-
 ' dily return a favourable answer to it; and that she resolv-
 ' ed

1713. { ed to send a minister to the congress at Baden, whither she desired the States-general and the protestant states of the empire to send their's: the States answered, 'That the empire having referred it to his imperial majesty to conclude the peace, it was believed, the electors and princes would not send any ministers thither; and, for that reason, they did not think it proper to send any on their part.' It seems, the States had been given to understand, that the emperor would not admit any minister from the queen of Great-Britain (though she had appointed Mr Charles Whitworth for that purpose) nor from them, that there might be no distinction.

On the other hand, the emperor, to shew his resentment of the negotiation at Utrecht, not only resolved to conclude his treaty with France, without the intervention of the maritime powers; but, as a further mortification to Great-Britain, baron Heems declared to the states-deputies, 'That his imperial majesty was disposed to treat with the States, concerning a barrier in the Netherlands: that the treaty might be prepared and brought to some maturity at the Hague; but that the emperor would be glad to have it concluded at Vienna, whither the States were desired to send a minister: and that Ostend might not be alienated from the Netherlands.' The states-deputies having acquainted the earl of Strafford with this declaration, he expressed his great surprize at it, and told them, 'He was obliged to inform them, that the States were guarantees of the succession in the protestant line, as well as the queen was guarantee of the barrier in the Spanish Netherlands; and that the protestant succession should stand good, and have effect, as it should come in order; but that she would never suffer any laws to be prescribed or imposed upon her on that account: that the queen, as well as the States, was interested in the affair of the barrier; and therefore no step ought to be taken in it, without acting in concert with her: that he had orders to declare in the name of the queen, that the treating and concluding on the barrier at Vienna seemed to be proposed, with intention only to exclude her from the negotiations about it: That, in such a case, she would forthwith renounce all engagements with the republick; for that she absolutely insisted upon sending a minister likewise thither, for the reasons before-mentioned: that she had sent to the king of France for an explanation, touching

1713.

touching the exchanging some places in the Spanish Netherlands, according to the treaty of Radstadt, and had received for answer, that the king of France would not concern himself therein: that, as to what baron Heems had mentioned in relation to Ostend, he, the earl of Strafford, declared, he was content with it; but earnestly desired, that the States would not send to Vienna, nor do any thing in this negotiation, but in concert with her majesty: adding once more, that, pursuant to his orders, he must declare, that she would look upon such a proceeding as a formed design to dissolve all engagements now subsisting between her and the States.' Had the Dutch been as warm as the British ministers, and taken them at their word, the consequences must have been fatal to both: but the matter was accommodated afterwards. The earl of Strafford endeavoured to draw to the Hague the negotiation of peace in the north; and engaged the court of France, by monsieur de Chateauneuf, their ambassador at the Hague, to offer their mediation for that purpose to the northern allies. But, the king of Prussia having caused the king of Poland to be sounded, whether he was inclined to enter into the engagement, baron Sparre and the count de Rottenburg had proposed at the Hague, on the part of France, his Polish majesty signified, that he could never have any such thoughts, for it could never be his interest to separate himself from his allies.

By this time the earl of Strafford, and indeed all the ministers at the Hague were more attentive to the transactions in Great-Britain, than to any thing, that passed on the continent. The queen, upon her recovery, being informed of the death of Dr Sharp, archbishop of York, named Sir William Dawes to that metropolitan see, which had been strongly solicited by bishop Atterbury. At the same time, Dr Smallridge was made bishop of Bristol, and lord Almoner to the queen, and Dr Gastrell, preacher at Lincoln's Inn, bishop of Chester, in the room of Sir William Dawes. The second troop of horse grenadier guards, vacant by the death of the earl of Crawford, was given to the young earl Marischal, a Scots peer of known zeal for the jacobite cause.

On the 6th of February, being the anniversary of the queen's birth-day, it was celebrated with great solemnity; and the whigs, particularly the Hanover club, took this occasion to signalize their zeal and affection for the protestant succession,

1713-14. succession, by causing the effigies of the devil, the pope and the pretender, to be carried in procession from Charing-Cross to the Royal-Exchange, and so back to Charing-cross, where they were burnt. Three drummers of the foot guards attending the procession, and having, contrary to the rites of the city, beat their drums there, were seized, and committed to Newgate by warrant of the lord-mayor. Some endeavoured to represent this procession as a formed plot against the government; but, the ministry not thinking proper to take notice of the affair, the drummers were discharged.

Mr Harley
sent to Ha-
nover.

Whatever professions of affection to the protestant succession were made by some of the ministers, it was obvious, that every step, others took in favour of France, was also in favour of the pretender. The treasurer, during the queen's illness, endeavoured to persuade her to send the duke of Kent to Hanover, with a publick character. But the duke declined the employment, unless he was impowered to offer more real securities than fair words and promises. However, Mr Harley, cousin to the treasurer, went from the Hague to the court of Hanover, about the middle of February, accompanied by secretary Bromley's son, Mr Cresset, and Mr Winnington.

1713-14.
The 4th
parliament
of Great-
Britain meet.
Feb. 16.

On the 16th of February, the new parliament met, and the lord Scudamore proposed Sir Thomas Hanmer for speaker, and was seconded by three or four other members, particularly by Mr Steele, who observed, 'That at the close of the last parliament, her majesty was graciously pleased to declare from the throne, that the late rejected bill of commerce between Great-Britain and France should be offered to this house. That this declaration was certainly made, that every gentlemen, who should have the honour to be returned to parliament, might make himself master of that important question. That it is a demonstration, that was a most pernicious bill; and therefore no man could have a greater merit to this house, than his, by whose weight and authority that pernicious bill was thrown out. That he rose up to do Sir Thomas Hanmer honour, and distinguish himself by giving that gentleman his vote for that his inestimable service to his country.' At Mr Steele's mentioning the bill of commerce, the clamour against him began; at calling it pernicious, it increased; and at the words, 'doing him honour,' it grew insupportably loud: by which he saw the temper of
the

the house with regard to himself. But Sir Thomas Hanmer was chosen without any opposition, and the house adjourned to the 2d of March.

Pr. H. C.
Vol. V.

During the adjournment, the south-sea company held a general court, in which the directors communicated to them several papers they had prepared in concert with the lord-treasurer, relating to the Affiento contract. Several members were extremely surprized at the proposals; for, whereas they expected, that the queen had procured the whole Affiento contract for the company, they now found, that one half of the clear profits were reserved for the queen, and the king of Spain, besides seven and a half per cent. granted to an unknown person. Besides these exceptions, Mr Milner, a Portugal merchant, declared his opinion, 'That the company might very well spare the trying the experiment of a trade, by which other nations were known to have been losers; especially upon such terms, as were offered to the company; the rather, because the trade would be precarious, and at the mercy of the late reconciled enemies.' He was supported by other merchants, so that Arthur Moore, who spoke in behalf of this trade, could not make many proselytes to his opinion. The result of this assembly was an order for the printing of the papers laid before them, in order to their being further considered in another general court. This second meeting was very numerous; and after the reading of the papers, several speeches were made for and against the accepting the Affiento contract, of which Mr Moore and Mr Ward endeavoured to shew the great advantages. But Mr Craggs, Mr Newman, Mr Fisher, and some other gentlemen of great skill and experience in commercial affairs, maintained the contrary opinion, with such force of argument, that it was thought, if the question had then been put for accepting, or not accepting, it would have been carried for the latter by a great majority. But it being moved and agreed, to decide the question by ballot, and the members to have one vote for every five hundred pounds capital stock; what by the influence of the directors, who were to be the managers of the trade, and who (as in all other societies of this nature) were almost sure to be gainers, whatever became of the rest; what by the contrivance of stock-jobbers, whose business was to keep the publick funds in perpetual fluctuation, and, in order to that to engage companies in dubious adventures; what by the just apprehensions

The Affiento contract excepted against.

1713-14. apprehensions the generality of the members were under, that the rejecting of this trade would be interpreted as an affront to the lord-treasurer, who might resent it to such a degree, as to grow less solicitous for the concerns of the company, who wanted his protection for the annual provision of the interest of the capital stock, till the year 1716: upon these, and some other considerations, it was carried by a great majority, 'That the general court agreed with the resolution proposed by the court of directors relating to the *Affiento* contract.'

but agreed
to at last.

Peace with
Spain pro-
claimed.

About the same time, were brought over from Holland the ratifications exchanged of the treaty of commerce between Great-Britain and Spain, and the peace was proclaimed on the 1st of March. The chief articles were: France and Spain were never to be united: the protestant succession acknowledged, and never to be opposed on any pretence: navigation and commerce, as in the treaty of 1667: no licence to be given to the French or other nations to introduce negroes, or any merchandises, into the Spanish dominions in America, except what might be agreed by the treaty of commerce, and the privileges granted in the *Affiento* de negroes; except also what should be granted by the catholick king, after the *Affiento* de negroes should be determined: the American dominions were not to be alienated from the crown of Spain, to the French or other nation: Gibraltar and the island of Minorca were given up for ever to England: no Moors to come there, but on account of traffick: all the Spanish inhabitants to enjoy their estates and religion; or to sell their estates and retire: the south-sea company to have the privilege, inclusive of others, to introduce negroes into several parts of America for thirty years, beginning from 1713, in the same manner as enjoyed by the French; the Catalans to have a full pardon, with the possession of all their privileges, estates, and honours, and likewise the same privileges with the inhabitants of both Castiles: Sicily was yielded to the duke of Savoy, but to return to Spain, in case of no heirs. By two separate articles, the queen promised to persist in the measures, by which she had taken care, that no other part of the Spanish monarchy should be torn from it: and obliged herself to procure the princess Ursini to be put into possession of Limburg, or some other country in the Netherlands, which should produce thirty thousand crowns a year, pursuant to a grant from king Philip, September 28,

1711.

The

The day after the publication of this peace, the queen ^{1713-14.} went in a chair to the house of lords (the parliament having been opened by commission) and made the following speech to both houses :

My lords and gentlemen, .

" I Have much satisfaction in being able, at the opening of this parliament, to tell you, that the ratifications of the treaties of peace and of commerce with Spain are exchanged, by which my subjects will have greater opportunities than ever to improve and extend their trade. Many advantages, formerly enjoyed by connivance, and procured by such methods, as made a distinction between one British merchant and another, are now settled by treaty, and an equal rule is established.

The queen's speech to both houses. March 2. Pr. H. C.

" It has pleased God to bless my endeavours to obtain an honourable and advantageous peace for my own people, and for the greatest part of my allies. Nothing, which I can do, shall be wanting to render it universal ; and I persuade myself, that, with your hearty concurrence, my interposition may at last prove effectual to compleat the settlement of Europe.

" In the mean while, I congratulate with my own subjects, that they are delivered from a consuming land-war, and entered on a peace, the good effects whereof nothing but intestine divisions can obstruct.

" It was the glory of the wisest and greatest of my predecessors to hold the balance of Europe, and to keep it equal, by casting in their weight as necessity required. By this conduct they enriched the kingdom, and rendered themselves dreadful to their enemies, and useful to their friends. I have proceeded on the same principle, and I doubt not but my successors will follow these examples.

" Our situation points out to us our true interest ; for this country can flourish only by trade, and will be most formidable by the right application of our naval force.

Gentlemen of the house of commons,

" I have ordered such accounts to be prepared and laid before you, as will shew you, at the conclusion of the war, the true state of your condition, whereby you will

1713-14. " be better able to judge what aids are necessary : and I
" only ask of you supplies for the current service of the
" year, and for the discharge of such debts as you shall find,
" on examination, to be just and reasonable.

My lords and gentlemen,

" The joy, which has been generally expressed on my
" recovery from my late indisposition, and on my coming
" to this city, I esteem as a return to that tender affection
" which I have always had for my people.

" I wish that effectual care had been taken, as I have
" often desired, to suppress those seditious papers and facti-
" ous rumours, by which designing men have been able to
" sink credit, and the innocent have suffered.

" There are some, who are arrived to that height of ma-
" lice, as to insinuate, that the protestant succession in the
" house of Hanover is in danger under my government.

" Those who go about thus to distract the minds of men
" with imaginary dangers, can only mean to disturb the
" present tranquillity, and bring real mischief upon us.

" After all I have done to secure our religion and your
" liberties, and to transmit both safe to posterity, I cannot
" mention these proceedings without some degree of warmth ;
" and I must hope you will all agree with me, that at-
" tempts to weaken my authority, or to render the posses-
" sion of the crown uneasy to me, can never be proper
" means to strengthen the protestant succession.

" I have done, and shall continue to do my best for the
" good of all my subjects. Let it be your endeavour, as it
" shall be mine to unite our differences, not by relaxing
" from the strictest adherence to our constitution in church
" and state, but by observing the laws yourselves, and in-
" forcing a due obedience to them in others.

" A long war has not only impoverished the publick (how-
" ever some particular men have been gainers by it) but
" has also greatly affected government itself.

" Let it be your care so to improve the present opportu-
" nity, as to lay the foundation of recovering from those
" disorders.

" I had the concurrence of the last parliament in making
" the peace. Let it be the honour of this to assist me in
" obtaining such fruits from it, as may not only derive blef-
" sings on the present age, but even down to the latest po-
" sterity."

It is observable, though the queen said in her speech, that she was persuaded her interpositions might at last prove effectual, and compleat the settlement of Europe, the emperor, then in treaty with France, would not let her know any thing of what was transacted, or have the least communication with her to the last hour of her life. But how dissonant soever the queen's speech was in several particulars, both lords and commoners fell in for the most part with it; and, after she had thanked the lords for their affectionate address, she added, 'That they who were nearest the throne, would first of her subjects feel the evil consequences of any diminution of the regal authority; that it was a comfort to her she had the assurance of their support; and they might depend upon it, she would never give way to the least attempt on the just authorities of the crown, or any of their rights and privileges.'

The lords
address of
thanks.
March 3.

The commons likewise resolved on an address without opposition, only Sir Peter King, recorder of London, suggested, 'That they ought not to act by a spirit of division, and return thanks for the treaty of commerce with Spain, before they knew, whether the same was advantageous or not:' which occasioned some modifications in the address with respect to that head. The next day the convocation (which had met with the parliament, and chosen Dr Stanhope, prolocutor, complimented the queen in a joint address 'on her recovery, and happy return to her royal city in health and safety:' concluding with their wishes, 'That, after a long and happy reign, she might be able to transmit the protection of this church and state to a protestant successor in the illustrious house of Hanover, which her majesty, to the great satisfaction and comfort of all her faithful and good subjects, had so often declared to be at her royal heart.' Notwithstanding this, and the angry expressions in the queen's speech, the fears and jealousies of the well-affected to the Hanover succession were rather increased than removed, who, from the daily discouragements and even insults they met with, could not but conclude that succession to be in danger.

The commons
address.
March 5.

The earl of Wharton made a complaint in the house of lords against a libel, intitled, 'The publick spirit of the whigs set forth in their generous encouragement of the author of the crisis.' This libel (which was fathered upon Dr Swift and lord Bolingbroke) was written in the ludicrous and sarcastick strains of 'the tale of a tub.' After some scurrilous reflections on Mr Steele, and occasionally

Complaint of
a libel in the
house of
lords.
Pr. H. C.

171-14. on the earl of Nottingham, with some jests on the implicit munificence of the subscribers to the crisis: the author attacks the union, reflects on the whole Scots nation, and, without reserve, insults the duke of Argyle, who of late had broken all measures with the ministry (m). This piece

(m) The passage that gave most offence to the lords was as follows:

' This work (the union of the
' two kingdoms) was unsuccessful-
' fully attempted by several of
' her majesty's predecessors,
' though I do not remember it
' was ever thought on by any,
' except king James the first,
' and the late king William. I
' have read indeed that some
' small overtures were made by
' the former of these princes to-
' wards an union between the
' two kingdoms, but rejected
' with indignation and contempt
' by the English. And the
' historian tells, that, how de-
' generate and corrupt soever
' the court and parliament then
' were, they would not give
' ear to so infamous a proposal.
' I do not find, that any of the
' succeeding princes before the
' revolution ever resumed the
' design; because it was a pro-
' ject, for which there could not
' possibly be assigned the least
' reason or necessity. For I de-
' fy any mortal to name one
' single advantage, that Eng-
' land could ever expect from
' such an union. But, towards
' the end of the late king's
' reign, upon an apprehension
' of the want of issue from him
' or the princess Anne, a pro-
' position for uniting both king-
' doms was begun, because Scot-
' land had not settled their
' crown upon the house of

' Hanover, but left themselves
' at large, in hopes to make
' their advantage. And it was
' thought highly dangerous to
' leave that part of the island,
' inhabited by a poor, fierce
' northern people, at liberty to
' put themselves under a dif-
' ferent king. However, the
' opposition to this work was
' so great, that it could not be
' overcome until some time af-
' ter her present majesty came
' to the crown, when, by the
' weakness or corruption of a
' certain minister since dead, an
' act of parliament was obtain-
' ed for the Scots, which gave
' them leave to arm themselves;
' and so the union became ne-
' cessary, not for any actual
' good it could possibly do us,
' but to avoid a probable evil;
' and at the same time save an
' obnoxious minister's head, who
' was so wise, as to take the first
' opportunity of procuring a ge-
' neral pardon by act of parlia-
' ment, because he could not
' with so much decency or safe-
' ty desire a particular one for
' himself. These facts are well
' enough known to the whole
' kingdom. And I remember,
' discoursing above six years
' ago with the most considerable
' person * of the adverse party,
' and a great promoter of the
' union, he frankly owned to
' me, that this necessity, brought
' upon us by the wrong ma-
' nagement of the earl of Go-
' dolphin,

* Lord
Somers.

was generally looked upon as very impolitick and ill-timed; 1713-14. since the sixteen Scots peers, who sat in the house of lords, and who (at least there) were the principal support of those at the helm, were involved in the general reflections on the Scots nation. The earl of Wharton's complaint against this

dolphin, was the only cause of the union.

Therefore I am ready to grant two points to the author of the crisis: first, that the union became necessary for the cause above related; because it prevented this island from being governed by two kings, which England would never have suffered; and it might probably have cost us a war of a year or two to reduce the Scots. Secondly, that it would be dangerous to break this union, at least in this juncture, while there is a pretender abroad, who might probably lay hold of such an opportunity. And this made me wonder a little at the spirit of faction last summer among some people, who, having been the great promoters of the union, and several of them the principal gainers by it, could yet proceed so far, as to propose in the house of lords, that it should be dissolved; while at the same time those peers, who had ever opposed it in the beginning, were then for preserving it upon the reason I have just assigned, and which the author of the crisis hath likewise taken notice of.

But when he tells us, The Englishmen ought, in generosity, to be more particularly careful in preserving this union, he argues like himself,

The late kingdom of Scotland, (saith he) had as numerous a nobility as England, &c. They had indeed; and to that we owe one of the great and necessary evils of the union, upon the foot it now stands. Their nobility is indeed so numerous, that the whole revenues of their country would be hardly able to maintain them according to the dignity of their titles; and, what is infinitely worse, they are never likely to be extinct, until the last period of all things, because the greatest part of them descend to heirs general. I imagine, a person of quality prevailed on to marry a woman much his inferior, and without a groat to her fortune, and her friends arguing, she was as good as her husband, because she brought him as numerous a family of relations and servants, as she found in his house. Scotland in the taxes is obliged to contribute one penny for every forty pence laid upon England; and the representatives, they send to the parliament, are about a thirteenth. Every other Scots peer hath all the privileges of an English one, except that sitting in parliament; and even precedence before all of the same title, that shall be created for the time to come. The pensions and employments possessed by the natives of that country

1713-14.

Morphew
and Barber
taken into
custody.

March 5.

this libel being warmly espoused by the majority of the peers, the lord-treasurer protested he knew nothing of it; exclaimed against the malicious insinuations contained in it; and readily joined with the house, in an order for committing John Morphew, the publisher, to the custody of the black-rod. Morphew, upon his examination, having declared, that an unknown porter had brought to his house the copies of the pamphlet in question, from the house of John Barber, printer of the gazette, and of the votes of the house of commons, Barber was also ordered into custody, and both he and Morphew were, severally, examined at the bar of the house of lords. Morphew stood to his former declaration, and owned the publishing and selling of that libel; but Barber said, he knew nothing of it, and insisted 'not to answer any questions, the answer to which might tend to accuse himself, or to corroborate the accusation against him.' Being both withdrawn, the earl of Wharton said, 'They had nothing to do either with the publisher or printer; but that it highly concerned the honour of that august assembly, to find out the villain, who was the author of that false and scandalous libel, in order to do to the Scots nation justice:' and moved, 'That, in order to that discovery, Barber might be again examined the next day, together with his journeymen and servants.' This was readily agreed to; but, the next day, the earl of Mar, one of the secretaries of state, acquainted the house, that, pursuant to the queen's commands, he had directed John Barber to be prosecuted. The earl of Wharton desired to know, upon what evidence they designed to proceed against him? But the earl of Mar replied, That he wondered, such a question should be put to a secretary of state, who was known to be under an oath of secrecy:

'country now among us do amount to more than the whole body of their nobility ever spent at home; and all the money, they raise upon the publick, is hardly sufficient to defray their civil and military lists. I could point out some with great titles, who affected to appear very grievous for dissolving the union, although their whole revenues before that period would have ill maintained a Welch justice of

'the peace; and have since gathered more money than ever any Scotsman, who had not travelled, could form an idea of.'

This passage, by reason of the offence it might give to the Scots peers, was, a few days after the publication of the libel, cancelled and the rest published with a new title under pretence of a second edition. But it was restored by Dr Swift, in the late edition of his political tracts,

and

and this put a stop to all further enquiries about Barber's 1713-14. affair, in a parliamentary way. Three days after, Barber and Morpew were, upon their petition, enlarged from the custody of the black-rod. However, the lords resolved upon an address, reciting the steps they had taken in this affair; notwithstanding which, 'they had not been able to discover the author of the libel, which they conceived to be a false, malicious, and factious libel, highly dishonorable and scandalous to her majesty's subjects of Scotland, tending to the destruction of the constitution, and (by making false and unjust reflections upon the union, and the steps and motives to it) most injurious to her majesty, who had been pleased often to declare from the throne, that the union of the two kingdoms was the peculiar happiness of her reign, in making a full provision for the peace and quiet of her people, and the security of their religion, by so firm an establishment of the protestant succession throughout Great-Britain. That nothing therefore might be wanting on their parts towards the discovering and punishing so great a criminal, they humbly besought her majesty to issue her royal proclamation, with a reward to any person, who should discover the author.' Accordingly, the same day, a proclamation was published, with a reward of three hundred pounds. But, nevertheless, Dr Swift, the reputed author, remained undiscovered to the publick, though at the same time, notwithstanding the indecency of his character, as well as of his writings, he was daily caressed by the lord-treasurer, as Barber the printer was by the lord Bolingbroke (n).

The commons having readily voted a supply, proceeded on controverted elections, and coming to several resolutions about qualifying the members to serve in parliament (o), they ordered a bill to be brought in, 'for securing the
' free-

A bill to limit the number of officers in the house of commons.
Pr. H. C.
Steel's apol.

(n) Dr Swift in his advertisement prefixed to this pamphlet among his political tracts, says, the reason of offering so small a reward was, because the queen and ministry had no desire to have the author taken into custody.'

(o) These resolutions were:

'I. That, notwithstanding the oath taken by any candi-

'date, on or after any election, his qualification may be afterwards examined into.

'II. That, the person, whose qualification is expressly objected to, in any petition relating to his election, shall, within fifteen days after the petition read, give, to the clerk of the house of commons, a paper signed by himself,

1713-14. 'freedom of parliaments, by limiting the number of officers in the house of commons:' which was perfected towards the end of March.

Steele obnoxious to the ministers,

Notwithstanding all the care and industry used by the court-managers in the late elections, many professed enemies of the present ministers were chosen. But, of these, none were so obnoxious to the men in power as Mr Steele, who in several publick writings, had arraigned the late measures with great boldness, as one, who was encouraged, and sure to be supported, be the whole whig party. It was therefore agreed by the ministers (how much soever they differed in other matters) to exert their endeavours to remove him from his seat in parliament. A petition, which was lodged against his election, happening to be the seventeenth of that kind, and therefore not like to come on this session, it was resolved to take a shorter way, and attack him about some of his late political writings. Mr Hungerford, a noted lawyer, who had been expelled the house of commons for bribery in the reign of king William, moved, on the 11th of March, to take into consideration that part of the queen's speech, which related to the suppressing seditious libels; and complained, in particular, of several scandalous papers lately published, under the name of Richard Steele, Esq; a member of that house. He was seconded by Mr auditor Foley, a near relation to the lord-treasurer, who suggested, 'That unless means were found to restrain 'the licentiousness of the press, and to shelter those, who

'self, containing a rental or
'particular of the lands, tenements, or hereditaments, whereby he makes out his qualification: of which any person concerned may have a copy.

'III. That, of such lands, tenements, or hereditaments, whereof the party hath been in possession for three years before the election, he shall also insert in the same paper, from what person, and by what conveyance, or act in law, he claims and derives the same; and also the consideration, if any paid, and the

'names and places of abode of the witnesses to such conveyance and payment.

'IV. That, if a sitting member shall think fit to question the qualification of a petitioner, he shall, within fifteen days after the petition read, leave notice thereof in writing with the clerk of the house of commons; and the petitioner shall in such case, within fifteen days after such notice, leave with the said clerk of the house the like account in writing of his qualification, as is required from a sitting member.'

'had

‘ had the honour to be in the administration, from malicious and scandalous libels ; they, who by their abilities are best qualified to serve their queen and country, would decline publick offices and employments.’ This was supported by Sir William Wyndham, who added, ‘ That some of Mr Steele’s writings contained insolent injurious reflections on the queen herself, and were dictated by the spirit of rebellion.’ The next day, auditor Harley (the lord-treasurer’s brother) made a formal complaint to the house against certain paragraphs of the three printed pamphlets, which had given most offence to the court ; ‘ The Englishman, of January 19 ; The crisis ; and the last Englishman, all said to be written by Richard Steele, esq ; which pamphlets being brought up to the table, it was ordered, that Mr Steele should attend in his place the next morning.

Complaint
against Mr
Steele.

This brought a great concourse of members and spectators to the house ; and, Mr Steele attending, several paragraphs, contained in the pamphlets complained of, were read : after which, Mr Foley, Mr Harley, and some other members, severely animadverted upon the rancour and seditious spirit conspicuous in those writings. Mr James Craggs, jun. standing up to speak in Mr Steele’s behalf, he was prevented by a confused noise of several voices calling to order ; intimating, that, according to the order of the day, Mr Steele was to be heard himself in his place. Upon this, Mr Steele said, ‘ That, being attacked on several heads without any previous notice, he hoped the house would allow him, at least, a week’s time to prepare for his defence.’ Auditor Harley having excepted against so long a delay, and moved for adjourning this affair to the Monday following, Mr Steele, to ridicule his two principal prosecutors, Foley and Harley, who were known to be rigid presbyterians, though they now sided with the high-church, assumed their sanctified countenance, and owned, ‘ in the meekness and contrition of his heart, that he was a very great sinner ; and hoped, the member, who spoke last, and who was so justly renowned for his exemplary piety and devotion, would not be accessary to the accumulating the number of his transgressions, by obliging him to break the sabbath of the Lord, by perusing such profane writings, as might serve for his justification.’ This speech, spoken in a canting tone, having put the generality of the assembly in good humour, Mr Steele carried his point ; and the further consideration of

1713-14. of the charge against him was deferred for a week, by which time it was expected, that Sir Richard Onslow, Mr Hampden, Mr Lechmere, and some other leading members of the whig-party, who were absent, would be come to town. This success encouraged Mr Steele, not only to stand upon the defensive, but even to attack his accusers. As he believed a great part of the ill-will, he had brought upon himself, was owing to what he writ about Dunkirk, he thought it would make for his defence to have what passed, relating to the collusive demolition, appear to the house before his day came on. He therefore moved, on the very Monday proposed by Mr Harley for his trial, 'That an address be presented to the queen, to give directions, that the several representations of her engineers and officers, who had the care and inspection of the demolition of Dunkirk, and all orders and instructions given thereupon, be laid before the house.' But the motion was rejected by two hundred and fourteen voices, against one hundred and nine. But the court-party did not think fit to oppose another motion, which, with the same intent, was then made by the lord Lumley, eldest son to the earl of Scarborough, who being seconded by the earl of Hertford, it was unanimously resolved, 'That an address be presented to her majesty, that she would be pleased to order an account to be laid before the house, what steps had been made for the removing the pretender from the dominions of the duke of Lorraine, pursuant to the address of both houses of the last parliament; and what answers had been given by the duke of Lorraine.'

Steele's motion about Dunkirk is rejected.
Mar. 15.

Steele's trial in the house of commons.

On the 18th of March, the day appointed for Mr Steele's trial, the court-party thought proper to clear the house of all strangers; which being done, auditor Foley moved, that, before they proceeded any farther, Mr Steele should declare, whether he acknowledged the writings, that bore his name? Upon which Mr Steele owned all the papers laid to his charge to be parts of his writings: that he wrote them in behalf of the house of Hanover, and owned them with the same unreservedness, with which he had abjured the pretender. Then, a debate arising upon the method of proceeding, Mr Foley proposed, that Mr Steele should withdraw; but, after several speeches, it was carried, without dividing, that he should stay, in order to make his defence. Mr Steele desired, he might be allowed to answer to what might be urged against him,

para.

paragraph by paragraph; but though he was powerfully supported by Mr Robert Walpole, general Stanhope, the lord Finch, eldest son of the earl of Nottingham; and the lord Hinchinbroke, son of the earl of Sandwich; yet his accusers insisted, and it was carried, 'That he should proceed to make his defence generally, upon the charge given against him.' Mr Steele proceeded accordingly, being assisted by Mr Addison, who sat near him, to prompt him, upon occasion; and for near three hours spoke to the several heads, extracted out of the three pamphlets above mentioned (which had been given in print to all the members) with such temper, eloquence, and unconcern, as gave entire satisfaction to all, who were not prepossessed against him.

Mr Steele being withdrawn, most members expected, that Mr Foley would have summed up, and answered his defence: but he contented himself, with saying, in general, 'That, without amusing the house with long speeches, it was plain, that the writings, that had been complained of, were seditious and scandalous, injurious to her majesty's government, the church and the universities, and moved, that the question should be put.' This occasioned a very warm debate, which lasted till eleven at night.

Mr Robert Walpole, who spoke first in favour of Mr Steele, made a long and elegant speech. He began with shewing, that this extraordinary and violent prosecution struck at the liberties of the subject in general, and of the members of that house in particular. He then justified Mr Steele on all the heads of the accusation raised against him; and said, he hoped the house would not sacrifice one of their members to the resentment and rage of the ministry, for no other crime, than his exposing their notorious mismanagements; and, like a good patriot, warning his countrymen against the imminent dangers, with which the nation in general, and in particular her majesty's sacred person, were threatened, by the visible encouragement, that was given to the pretender's friends. If a papist (said Mr Walpole) nay an Irish priest*, who for many years has been servant to the late king James, and the pretender; one, who has borne arms against her majesty in France and Spain; one, who is strongly suspected of having imbrued his hands in the blood of the late duke of Medina-Celi, and marquis of Leganez; if such a man be not only permitted to come into England, but to appear at court, in

Mr Walpole's speech in his favour.

* Sir Patrick Lawless.

the

1713-14.

‘ the presence-chamber; if he be careſſed by the miniſters;
 ‘ nay, I ſpeak it with horror, if ſuch a man be admitted
 ‘ to her majeſty’s private audience in her cloſet, will not
 ‘ every good ſubject think her majeſty’s perſon in danger?
 ‘ And is it then a crime in Mr Steel to ſhew his juſt con-
 ‘ cern for ſo precious a life?

As to that paſſage in Mr Steele’s criſis, wherein he ſays,
 ‘ That a late treaſonable book on the ſucceſſion of hereditary
 ‘ right has publiſhed the will of king Henry VIII, which
 ‘ ſeems to be intended as a pattern for the like occa-
 ‘ ſion;’ and a little lower, ‘ Let thoſe, who act under
 ‘ the preſent ſettlement, and yet pretend to diſpute for an
 ‘ abſolute hereditary right, quiet themſelves with the ar-
 ‘ guments they have borrowed from popery;’ Mr Wal-
 ‘ pole ſaid, it could not be denied, ‘ That the lord-trea-
 ‘ ſurer was the patron of learned men, for whoſe uſe and
 ‘ improvement he had ſet up a fine library; and that it ap-
 ‘ peared by the book, called, “ The hereditary right of
 ‘ the crown of England aſſerted, &c.” that the author
 ‘ had free acceſs to that library, and had drawn very ma-
 ‘ terial paſſages out of ſome manuſcripts in it. But that
 ‘ the lord-treaſurer’s care to ſupply him with materials to-
 ‘ wards that work went yet further, ſince his lordſhip had
 ‘ employed a man to look among old muſty papers for the
 ‘ will and teſtament of king Henry the Eighth, which the
 ‘ author had inserted at length in the appendix to his book.
 ‘ That he appealed to Mr Lowndes, a member of the
 ‘ houſe, and ſecretary to the treaſury, whether he had not
 ‘ paid, by the lord-treaſurer’s order, twelve or fourteen
 ‘ pounds to the perſon, that had made that great diſco-
 ‘ very; but, that in caſe he ſhould deny it, he had evi-
 ‘ dence to prove it.’ Mr Lowndes ſeemed not to deny
 the fact; and only ſaid, that will was not ſo rare a piece,
 ſince it was to be ſeen in a place, which he named, in Weſt-
 miniſter-abbey. On this occaſion Mr Walpole mentioned
 three points, in which he endeavoured to prove, that the
 peace had already been broke: ‘ The firſt, he ſaid, was
 ‘ the demolition of Dunkirk, which ought to have been
 ‘ finiſhed five months after ſigning the treaty; but, inſtead
 ‘ of that the French had yet only pulled down part of the
 ‘ outward fortifications, without touching the foundations,
 ‘ which, on the one hand, rendered the Engliſh gariſon
 ‘ uſeleſs, and expoſed to any inſults; and, on the other
 ‘ hand, would afterwards make it eaſy for the French to
 ‘ reſtore and rebuild thoſe fortifications: which was the

‘ more

'more probable to be in their thoughts, since, instead of 1713-14.
 'ruining the harbour, they were actually repairing the
 ' sluices, and working on a new canal. The second point
 ' was, the renunciations of the princes of the house of
 ' Bourbon, which were laid down as the foundation and
 ' basis of the peace, and as a pretence, that thereby the
 ' crowns of France and Spain would be more divided than
 ' ever: but that, supposing (what he could not, by any
 ' means grant) that those renunciations were to be depend-
 ' ed upon, they were yet conditional, and supposed the
 ' emperor's renunciation of the crown of Spain; and
 ' therefore, as no care had been taken to engage his impe-
 ' rial majesty to agree to that necessary condition, so the
 ' renunciations of the princes of the house of Bourbon be-
 ' came not binding and void.' The third instance, which
 Mr Walpole gave of the violation of the peace, was the
 French king's ordinance, dated September the 18th, 1713,
 N. S. 'forbidding the children of French refugees, though
 'born out of his dominions, to come into them, without
 'his permission, upon pain of being sent to the gallies.'
 This ordinance was against natural right and the law of
 nations, and in particular derogatory to the rights and liber-
 ties of the British nation, which the children of the refu-
 gees, born in England, were intitled to enjoy, as well as
 the other natives. That he would adventure to say in
 their behalf, that it were to be wished, that all, who
 have the happiness to be born in England, were as good
 Englishmen as the sons of the refugees; and that the Bri-
 tish nation was the more concerned in having that ordinance
 repealed, in that the refugees and their children were the fit-
 test to carry on a trade with France.

Mr Horace Walpole seconded his brother in favour of
 the French refugees, 'and deplored the lamentable condi-
 'tion of their ministers and the poor amongst them, to
 'whom the lord-treasurer had not paid one penny of the
 'fifteen thousand pounds per annum, voted by parliament,
 'and allowed in the civil list, towards their subsistence and
 'relief, since he came into his office.' Adding, 'That
 'some amongst the refugees suffered now more in Eng-
 'land, than they did during the persecution in France;
 'since there were always some charitable people, who
 'relieved them, while they were in prisons and dungeons,
 'whereas here they were left to starve.'

The lord Finch supported, likewise, Mr Robert Wal-
 pole, and justified Mr Steele with relation to the ten-
 derest

1713-14. dereft part of the charge against him, his third Wish, in the close of his last Englishman: 'That his electoral highness of Hanover would be so grateful as to signify to all the world the perfect good understanding he had with the court of England, in as plain terms, as her majesty was pleased to declare she had with that house on her part.' He said, 'That, supposing there were in this wish some injurious insinuations, yet the same could not, without injustice, be applied to the queen, but only to her ministers: that no body doubted the good understanding between her majesty and the house of Hanover; but that it was notorious, that the ministers shewed no great regard to that illustrious house. Witness (to pass over other instances) the slight they put upon the baron Bothmer's memorial, which the queen had perhaps never seen, had not the duchess of Somerset shewed it her majesty in print in the Daily Courant.' He likewise justified Mr Steele in relation to his reflections on the peace. 'We may, says he, give it all the fine epithets we please: but epithets do not change the nature of things. We may, if we please, call it here, honourable; but I am sure it is accounted scandalous in Holland, Germany, Portugal, and over all Europe, except France and Spain. We may call it advantageous; but all the trading part of the nation find it to be otherwise. If therefore it be really advantageous, it must be so to the ministry that made it.' Sir William Windham replying, 'That the ministry would not say, the peace was advantageous to them;' the lord Finch answered, 'Then it was plain it was advantageous to no body but our late enemies.'

The lords Lumley and Hinchinbroke, and some other members, spoke also in favour of Mr Steele, and against the conduct of the ministry. But Mr Foley, Sir William Wyndham, the attorney-general, and some other courtiers, being supported by a great majority, still insisted on the question, and it was carried at last by two hundred forty-five voices against one hundred fifty-two, First, 'That a printed pamphlet, intitled, 'The Englishman, being the close of the paper so called,' and one other pamphlet, intitled, "The crisis," written by Richard Steele, Esq; a member of this house, are scandalous and seditious libels, containing many expressions highly reflecting upon her majesty, and upon the nobility, clergy, gentry, and universities of this kingdom, maliciously insinua-

ting,

ing, that the protestant succession in the house of Hanover is in danger under her majesty's administration, and tending to alienate the affections of her majesty's good subjects, and to create jealousies and divisions among them. Secondly, That Richard Steele, Esq; for his offence in writing and publishing these scandalous and seditious libels, be expelled this house.

1713-14.

Mr Steele expelled the house.

It is observable, that only two Scots members spoke in this long debate, Mr Baillie, and Sir James Stuart, judge-advocate in North-Britain. Baillie said, 'He was little acquainted with the affairs of England, but had made it his business to know those of his own country; and, by all the observations he could make for some years past, they, who appeared the most zealous for the pretender's interest, were the most favoured and countenanced by those in power.' This was confirmed by Sir James Stuart, who added, 'That, to his certain knowledge, three or four thousand pounds had been yearly remitted to the high-land clans, whose chiefs, and the men under their command, were known to be entirely devoted to the chevalier.' Hence it appears, this affair gave the enemies of the ministry an occasion to take notice of several things, which, but for this prosecution, had perhaps never been mentioned in the house of commons; and which, being spoken in the hearing of several lords, occasioned the like reflections and stricter enquiries in the house of peers. A few days after, the commons adjourned till after the easter holidays; and in the mean time Sir James Stuart was removed from his place for what he had said.

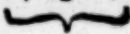
On the 17th of March, the lords taking into consideration the state of the nation, the earls of Wharton, Nottingham, and Sunderland, the lords Cowper, Hallifax, and some others, represented the danger that threatened the protestant succession, by reason of the pretender's not being yet removed from Lorrain, and the ill condition the affairs of Europe were left in by the late treaties of peace, and moved, that addresses be presented to the queen, 'First, for an account of what steps had been taken for removing the pretender from the dominions of the duke of Lorrain, and what answers had been given by that duke. Secondly, An account of the negotiations of peace: what measures had been taken, to render the peace universal: and what obstructions her majesty had met with. Thirdly, An account of what instances had been made for restoring to the Catalans their ancient privileges,

Debate on the state of the nation. Pr. H. L.

1713-14. 'vileges, and all letters relating thereto. Fourthly, An account of the monies granted by parliament, since the year 1710, to carry on the war in Spain and Portugal.' These addresses were ordered to be presented to the queen without any opposition. But, in the mean time, to give the house some amusement, the lord-treasurer moved for leave to bring in 'a bill for the further security of the protestant succession, by making it high-treason to bring any foreign troops into the kingdom:' which greatly surprized many peers. Among the rest, the earl of Nottingham, who immediately perceiving the dangerous consequence of that motion, represented, 'That such a bill might be turned against the very guarantees of the protestant succession, and so weaken that happy settlement, for the security of which the bill was pretended to be designed.' The lord Bolingbroke replied, 'He doubted not, but the noble peer, who made the motion, meant only such foreign troops, as might be brought into the kingdom by the pretender or his adherents.' The lord-treasurer having declared this to be his meaning, it was answered, 'In that case such a bill was altogether unnecessary, since such troops were either open enemies, if foreigners, or traitors and rebels, if natives.' The earl of Anglesea put an end to the debate, with saying, 'That the lord, who made the motion, was not acquainted with the methods of proceeding in that house; for every peer has the privilege of bringing in what bill he thinks fit: that the lord-treasurer's asking leave for it, was but a compliment to the house; and therefore, when he had brought in the bill, it would be then a proper time to consider of it.' So the motion was dropped. The same day, a noble lord reflected on the bishop of Sarum's preface to his Pastoral care; but, that prelate offering to vindicate himself, no farther notice was taken of it.

Two days after, in a farther debate on the state of the nation, several lords spoke again in favour of the Catalans, and insisted, 'That the house ought strictly to examine how that poor people came to be abandoned, after they had been solicited and drawn in to declare for the emperor.' The earl of Anglesea, seeing the ministry thus attacked, endeavoured to ward off the blow, by saying, 'That, for his own part, he was one of the first that appeared against the late ministers, because he was fully convinced of their male-administration, corruption,avarice, and unbounded ambition. That he would, in like

manner,

manner, be one of the first that should attack the present 1713-14.
ministers, if he thought them guilty of the same faults. 
But, as he had observed, it was merely out of spleen
and envy, that some persons were for inquiring into the
conduct of patriots, who had given signal proofs of their
zeal for the publick good, he was of opinion, that they
ought to examine into the conduct both of the late and
present ministers, that so, by comparing one with the
other, they might see, which had committed less errors.
However, the whig lords pursued their point, and in particular took notice of the danger, both the queen's person
and the protestant succession were in, from the great number of out-lawed Jacobites, who were permitted to come
over from beyond sea; and complained of the favour shewn
to the pretender's friends, in granting noli prosequi's to
persons (meaning Daniel de Foe among others) who were
under prosecution for writing against the protestant succession. They animadverted upon the debts of the navy being much increased, though nothing had been done at sea
for two or three years. The court-party having nothing
to say to these particulars, it was moved and resolved to
address the queen, that she would order the proper officers to lay before the house, 'First, an account of the
debts and state of the navy. Secondly, an account of
noli prosequi's granted since her accession to the throne.
And, thirdly, a list of persons outlawed, attainted, or
that had borne arms in the service of her majesty's, or
the late king's enemies, who had got licenses to return
into Great-Britain, or other her majesty's dominions,
since the year 1688.' After this, upon a motion for adjourning, the whig lords proposed to adjourn only to the
Monday following. But, the ministry being highly concerned to put a stop to such enquiries, the lord-treasurer,
with a shew of devotion, represented, 'That the solemnity of the festival of Easter approaching, the next week
ought, according to the primitive institution, and the
constant practice of the church of England, to be set
apart for works of piety;' and therefore moved to adjourn to the 31st of March. The treasurer being seconded by the lord Trevor, the earl of Wharton said,
'God forbid he should oppose that noble lord, who had
made so pious and religious a motion; but that he appealed to that venerable bench (pointing to the bishops)
'whether humanity and charity did not require it at their
hands, not to lose one moment of time, in addressing
her

1713-14. *her majesty in behalf of the distressed Catalans, who were reduced to such an extremity, that the least delay in procuring them relief, might prove their ruin for ever.* Then it was resolved, without opposition, to present the address; and the earl of Oxford's motion for adjourning to the 31st of March was carried in the affirmative. It is observable, the commons having, the day before, made an order for clearing the house of all strangers, not excepting the peers, it was moved in the lords house to make the like order, without excepting the commons: but this was opposed by the duke of Argyle, who said, 'It was for the honour of that august assembly to shew, that they were better bred, and had more complaisance than the commons.'

A remarkable declaration published by the ministry.

At this time the ministry, in order to allay the fears, which many entertained of a design between Great-Britain and France, to bring over the pretender; caused a remarkable declaration, made some time before by the French ambassador at the Hague, to be published in the Post-boy of the 18th of March, which was to this effect: 'It is not only in Holland, that false reports are spread of the king my master's equipping a fleet, with a design to support the interests of the chevalier de St George; but these false reports have also reached England. As it is easy to imagine for what end they have been invented, I am ordered by his majesty, to acquaint you with the malicious design of them: they will soon vanish, being without foundation, and even the least appearance of any. It is, however, necessary, that truth should be known.'

Removals and Promotions.

This declaration, however, with the least discerning, passed only for a political amusement: and indeed it was but a fond imagination in the British ministers, to believe that any verbal assurances and protestations were able to dispel the jealousies and apprehensions, occasioned by the daily removal of the firmest friends to the protestant succession from publick employments, and advancing in their stead, those, whom they found inclined blindly to follow the queen's measures; which was now become the watch-word, and, as it were, the standard of civil and military merit. Upon this rule, at a cabinet-council, it was resolved to remove the duke of Argyle from all his places; to order the earl of Stair to dispose of his regiment of Scots royal dragoons; and to turn out several other inferior officers. Accordingly, a few days after it was declared,

clared, that the command of the Scots troop of life-guards, ^{1713-14.} of which the duke of Argyle was colonel and captain, was given to the young earl of Dundonald, a Scots peer (for which, however, the queen was said to have paid the usual price of ten thousand pounds to the duke) that the earl of Peterborough was made governor of the island of Minorca, and the earl of Orkney governor of Edinburgh castle, both in the room of the duke of Argyle; that the earl of Portmore had bought the earl of Stair's regiment for six thousand pounds; that major-general Davenport was ordered to sell his post of lieutenant of the first troop of life-guards to brigadier Panton; that major-general Holmes, major of the cold-stream regiment of foot-guards, had leave to dispose of his company to lieutenant-colonel Gibbons, late of colonel Kane's regiment of foot; that lieutenant-colonel Egerton, brother to the earl of Bridgewater, and lieutenant-colonel Sidney, brother to the earl of Leicester, were ordered to sell their companies in the foot-guards, for the sum of a thousand pounds each, to the lieutenant-colonels Markham and Owen; and that lieutenant-colonel Oughton and lieutenant-colonel Paget were also ordered to dispose of their companies. It was about the same time strongly reported, that several other officers, who, being closeted, had demurred upon the question, that was put to them, 'Whether they would serve the queen, without asking questions?' were likewise to be turned out of their posts; some of which were to be filled up by the creatures of the lord Bolingbroke, the principal adviser and promoter of the new-modelling the army. One branch of this scheme was to break nine of the battalions in Ireland; to lay aside seventy-two officers, who were thought improper instruments for the designs in hand; and to raise fifteen other battalions, that should be sure to obey all commands; and one of which was said to be designed for the lord Poor, an Irish Roman catholick peer, who had a long time served in France. It was also generally reported, that either the earl of Anglesea, or colonel Owen, who soon after went over to Dublin, carried these orders to Sir Constantine Phipps, but whatever ground there was for such a report, that part of the model never took place.

The lord Bolingbroke and his friends, who by this time had got the ascendant over the lord-treasurer in the cabinet-council, were the more hasty in their measures, both because they began to despair of the queen's surviving the

Further designs of new-modelling the army.

The queen again indisposed.

1713-14. next summer, and because they were not ignorant, that the whigs, in concert with the court of Hanover, took all imaginable precautions to secure the protestant succession. The queen being taken ill (p), those who were most concerned in her life, pushed on their schemes, knowing how precarious that life was; and, at the same time, the better to carry on their designs, gave out, that she was in no manner of danger, being only troubled with a small fit of the gout. But though, the better to conceal the true state of her health, only Dr Arbuthnot, who was devoted to their party, was for a long time admitted to see her leg; yet those, who watched for the security of the protestant succession, did not want intelligence of her dangerous condition, and took all possible measures to defeat any attempt, that should be made to bring in the pretender, at or before her death. As that case never happened, those measures are for the most part a secret; but it may be observed, that about this time the pretender's friends were not a little alarmed at a secret treaty, which was said to be concluded between the elector of Brunswick and the States-general; whereby the States, in consideration of a certain sum, engaged to furnish the elector with a certain number of ships

Measures taken by the whigs to secure the protestant succession.

(p) Dr Shadwell, in a letter to the duke of Shrewsbury, gives the following account of her illness:

On the 11th of March, after the queen had sunned herself at the window, she was seized with a chilness, vomiting, a pain in the leg, the pulse very disordered, and in every manner as two months before, except that the queen did not shiver; but the cold and chilness continued twelve hours, and was then succeeded by very great heat, thirst, and all the symptoms of a high fever, which lasted till the next morning. Some of her physicians were for administering the snake-root; but Dr Shadwell opposed it, by reason of the inflammatory fever, and Erysipelas; pressed for temperate cordial medicines, to

discharge the blood; and cupping, as well as other evacuations, to prevent too great a load of humours falling upon the leg. This he insisted on the next day, tho' the fever was off; apprehending the consequence of that limb being too much loaded: and though, on Sunday the 14th, the queen eat a chicken with very good appetite; though all the other physicians thought matters so well, as not to need any prescription; yet that very good appearance did not ease Dr Shadwell of his fears, for what might happen to the leg, if the Erysipelas should turn to an imposthumation: which it did, according to his prognostick, not long after; and proved at last the immediate cause of the queen's death.

and

and land-forces (besides their engagements as guarantees of the succession) to support his claim to the crown of Great-Britain. Be this as it will, certain it is, that the court of Hanover did not rely on the fair promises, given them by the British ministers, and which were manifestly contradicted by matters of fact. And as some of the British ministers and generals were, at this juncture, very intent upon new-modelling the army; so on the other hand, the duke of Argyle, the generals Stanhope and Cadogan, and several other experienced commanders, were no less active, though with more caution, in keeping steady and preparing against all events, such military men, as they knew to be well affected to the protestant succession. General Stanhope, in particular, had several private conferences with the principal officers among the French refugees; who being a considerable body, and all zealous for the cause, no small stress was laid on their assistance, as well as that of their countrymen. So, if things had been brought to extremities, exclusive of the interposition of foreign forces, the well-affected to the house of Hanover would have been equal, if not superior to the pretender's friends. This will appear more than probable, if we consider, that in either house of parliament few were for altering the present settlement: that most of the merchants and monied men in the city of London (which, in all revolutions, has the greatest influence over the rest of the kingdom) were intirely devoted to the protestant succession; and it is now known, that some of the principal of them had agreed with the generals Cadogan and Stanhope to exert their whole interest in the city, whenever any attempt should be made upon the succession; and that measures were early concerted by the kit-cat-club, with a major-general, who had a considerable post in the foot-guards, to seize the tower, upon the first appearance of danger, and to secure in it such persons, as were justly suspected to favour the pretender (q). And the late lord Onslow used to say, that himself had been sent over with an association signed by the most eminent of the whigs to the duke of Marlborough, who did not think proper to give it the sanction of his name; which was a great surprize to his old friends.

The parliament, according to their adjournment, met on the 31st of March. The chief debates were in the

(q) This Boyer, the historian, had from the major-general's own mouth, whose name he had not liberty to reveal.

1714.

Debates
about the
Catalans.
Pr. H. L.

house of lords, concerning the Catalans, the protestant succession, removal of the pretender out of Lorrain, and the late treaties. The papers, which had been addressed for, being laid before the house, those relating to the Catalans were read on the 2d of April. Then the earls of Wharton and Sunderland, the lords Hallifax, Cowper, and others, represented, 'That, the crown of Great-Britain 'having drawn in the Catalans to declare for the house of 'Austria, and engaged to support them, those engagements ought to have been made good.' To this the lord Bolingbroke answered, 'That the queen had used all her 'endeavours to procure to the Catalans the enjoyment of 'their antient liberties and privileges; but that, after all, 'the engagements she was entered into, subsisted no longer than while king Charles was in Spain; but that 'prince being advanced to the imperial dignity, and having himself abandoned the Catalans, she could do no more 'than interpose her good offices in their behalf, which she 'had not been wanting to do.' To this it was replied, 'That God almighty had put more effectual means into 'her majesty's hands.' After some other speeches, the lord Cowper moved for an address to the queen, importing, 'That, her endeavours for preserving to the Catalans the 'full enjoyment of their antient liberties, having proved 'ineffectual, their lordships made it their humble request, 'that she would continue her interposition in the most 'pressing manner in their behalf.' None of the peers opposed this motion; only the lord-chancellor, in order to justify all that had been done by the ministry, said, 'This 'address would be more grateful to her majesty, if the 'word ineffectual was left out, and if they should only 'thankfully acknowledge her majesty's endeavours in favour of the Catalans,' which was agreed to. But, notwithstanding this compliment, the address being the next day presented to the queen, 'She thanked, indeed, the 'lords, for the satisfaction they expressed in the endeavours 'she had used for securing to the Catalans their just liberties; but then she added, that, 'At the time she concluded her peace with Spain, she resolved to continue her 'interposition upon every proper occasion for obtaining 'those liberties, and to prevent, if possible, the misfortunes, to which that people were exposed by the conduct 'of those more nearly concerned to help them.' This answer occasioned some reflections: and indeed, it quickly appeared, that Sir James Wishart, who, about this time,

was

was sent with a strong squadron of men of war, was rather instructed to assist king Philip in the reduction of Barcelona, than in relieving the distressed Catalans. 1714.

On April the 5th, the lords taking into consideration the state of the nation, several speeches were made in relation to the dangers to which all Europe in general was left exposed by the late treaties of peace, and which, in particular, threatened the protestant succession. To this purpose the whig lords mentioned the countenance and favour which were publickly shewn by those in power to the friends of the pretender; and his continuing in Lorrain (r). The earl

Debate on
the state of
the nation.
Pr. H. L.

(r) Some time before the parliament met, the following letter, said to be written by the duke of Lorrain, was handed about, first in manuscript and afterwards in print:

Madam,

' We could not be more surprized at the addresses of the British parliament last summer, than with the late remonstrances of your majesty's minister at Utrecht, in relation to the removal of the chevalier de St George from the dominions of Lorrain. Before we would absolutely comply with the request of the most christian king in that affair, the profound respect we have for your quiet, made us apprehensive of giving the least uneasiness to your majesty. But when we were assured, on the contrary, that this expedient would be highly agreeable to all sides, as the only means to remove one of the chief obstacles to the general peace of Europe, so much wanted and desired: proud of so great an honour, we could no longer refrain from opening our arms, to receive a prince,

the most accomplished, the most virtuous, and most amiable of human race, who only wants to be seen to be admired, and known to be almost adored: whose magnanimity, in his sufferings, renders him worthy his high birth; besides his other great and commendable qualities, which confess the royal blood that flows in his veins.

We therefore hope your majesty, and the British nation, will not take in ill part, that we cannot comply with a demand so inconsistent with our own honour, and the laws of hospitality; that, after our protection once given, we should voluntarily abandon, to the rage of his enemies, an innocent, distressed prince, who knows no crime, but being born the last heir male to that illustrious family, which, for several ages, has given so many great monarchs to the world (amongst the rest, your majesty) of whose heroic virtues he is a happy imitator; and whose conspicuous and great actions have reflected as much lustre, as you have received from your noble and truly royal progenitors. That God almighty would take
your

1714. earl of Sunderland added, 'That, notwithstanding the earnest application made last session by both houses to her majesty, to use her utmost endeavours to get him removed from thence; yet he was assured by baron Fostner, the duke of Lorrain's minister, some weeks before his departure, that, to his certain knowledge, no instances had yet been made to his master for that purpose.' The lord Bolingbroke said, 'He wondered baron Fostner should make such a declaration, since he himself had made those instances to the baron in the queen's name.' But the lord Hallifax confirmed what the earl of Sunderland had advanced, saying, 'Baron Fostner had told him as much but four days before; so that the lord Bolingbroke must be mistaken, at least, in point of chronology.' The earl of Wharton having urged the dangers, which threatened the nation, and the protestant succession from the administration of affairs, a question was proposed, 'Whether the protestant succession was in danger under the present administration?' The court lords, who had a mind to screen the ministry under the queen's name, insisted, that the last words of the question should be, under her majesty's administration? the whig lords alledged, 'That the queen ought not to be mentioned in a question, that did not at all concern her majesty: for, by our constitution, the sovereign can do no wrong; and, if any thing be done amiss, the ministers alone are accountable for it.' But it was urged, 'That the queen having, in her speech from the throne, taken notice of the insinuations, that the protestant succession was in danger under her government; the question ought to be taken in her majesty's expressions about the same subject.' This being agreed to, the question was warmly debated from two in the afternoon, till nine o'clock in the evening, when the protestant succession was voted out of danger by a majority of twelve voices only, seventy-six against sixty-four. The most remarkable circumstance of this debate was, that the Archbishop of York and the earl of Anglesea spoke and voted with the whig lords, which added great strength to

The protestant succession voted out of danger.

your majesty into his holy protection, is the ardent wish of,

M A D A M,

Your Majesty's, &c.'

This letter, though, with dif-

ferent views, was dispersed with equal industry by both parties, and, with other concurring circumstances, greatly increased the fears and jealousies of the well-affected to the protestant succession.

that

1714.

that side; the archbishop drawing after him the whole bench of bishops, three courtiers only excepted; and the other being followed by the earls of Abingdon and Jersey, the lords Ashburnham and Carteret, and some other temporal peers, who, like the lord Anglesea, had, upon most occasions, voted for the court lords; so that the victory, now gained, was owing either to the Scots peers, or to the late creation. And it was the general opinion, that this seeming advantage was in reality a kind of defeat. The earl of Anglesea's speech upon this occasion, was much taken notice of: He said, among other things, 'That, when he came in to the house, he thought indeed the protestant succession to be still in danger on the part of France, whose interest it was to restore the pretender: But that, after he had heard what so many noble members of that august assembly, persons of undoubted honour and probity, had alleged against the ministers, and no answer offered to confute it, either by the ministers themselves, or their friends, he could not but believe the succession to be in danger under such an administration.' He afterwards endeavoured to clear himself, as to the share he had in some late transactions: 'I own (said he) I gave my assent to the cessation of arms, for which I take shame to myself, and ask God, my country, and my conscience pardon. But, however, this fault I did not commit, till that noble lord (turning towards the lord-treasurer) had assured the council, That the peace would be glorious and advantageous both to her majesty and her allies. Adding, that, as the honour of his sovereign, and the good of his country, were the rule of his actions, so he had no respect of persons; and if he found himself imposed upon, he durst pursue an evil minister, from the queen's closet to the Tower, and from the Tower to the scaffold.' The lord-treasurer, against whom this was levelled, said, 'That the peace was as glorious and advantageous, as could be expected, considering the necessity of affairs, and the contradiction the queen's ministers had met with, both at home and abroad.' Several lords replied, That no ministers ever had it in their power to make so honourable and advantageous a peace, as the queen's ministers had: and the duke of Argyle in particular added, 'That he had lately crossed the kingdom of France, both in going to, and returning from Minorca. That it was indeed one of the finest countries in the universe, but that there were marks of a general
' desolation

1714.

‘ desolation in all the places through which he passed. That he had rid forty miles together without meeting a man fit to carry arms: that the rest of the people were in the utmost misery and want; and therefore he did not apprehend what necessity there was to conclude a peace so precipitately with a prince, whose dominions were so exhausted of men, money, and provisions.’ As to the question now under debate, he said, ‘ He firmly believed the succession in the electoral house of Hanover to be in danger from the present ministers, whom he durst charge with male-administration, both within those walls, and without: that he knew, and offered to prove, that the lord-treasurer had yearly remitted four thousand pounds to the high-land clans of Scotland, who were known to be intirely devoted to the pretender, in order to keep them under discipline, and ready for any attempt: that, on the other hand, the new-modelling of the army, by disbanding some regiments out of their turn, and by removing from their employments a vast number of officers, merely upon account of their known affection to the house of Hanover, were clear indications of the designs in hand: that it was a disgrace to the nation, to see men, who had never looked an enemy in the face, advanced to the posts of several brave officers, who, after they had often exposed their lives for their country, were now starving in prison for debt, for want of their pay.’ The lord-treasurer, laying his hand upon his breast, said, ‘ He had, on so many occasions, given such signal proofs of his affection to the protestant succession, that he was sure no member of that august assembly did call it in question. That he owned, he had remitted, for two or three years past, three thousand eight hundred pounds to the High-land clans; but that he hoped the house would give him an opportunity to clear his conduct as to that point. And, as for the reformed officers, he had given orders, they should forthwith be paid.’ The lord Ashburnham, who had lately been advanced to the command of a troop of life-guards, thinking himself reflected on by some expressions, which had dropped from the duke of Argyle, took that occasion to say, ‘ That the queen had no better, nor a more loyal subject than himself; but that, at the same time, he was ready to spill every drop of his blood, and spend all his fortune, for the security of the protestant succession.’

Though

1714.

Debate about the removal of the pretender out of Lorrain.

Though, after some other speeches, the protestant succession was voted out of danger, as the court-party desired, yet the lord Hallifax, in order to put their professions of affection to the protestant successor to the test, moved, 'That an address be presented to the queen, that she would renew her instances for the speedy removing the pretender out of Lorrain; and that she would, in conjunction with the States-general, enter into the guaranty of the protestant succession in the house of Hanover; and also with such other princes, as she should think proper.' He was seconded by the earl of Wharton, who moved likewise, that, in the address, 'Her majesty might be desired to issue out a proclamation, promising a reward to any person who should apprehend the pretender, dead or alive.' This motion was supported by the duke of Bolton, who also moved, 'That the reward might be suitable to the importance of that service.' Nothing was said in opposition to these motions; but, it being late, some members cried, Adjourn, adjourn. But the other side calling for the question, it was unanimously resolved, that the address should be presented. Before this debate came on, the lord North and Grey moved, that all the strangers that were in the house should withdraw; upon which the earl of Wharton desired, that they might be permitted to stay; and he was seconded by the duke of Argyle. But, the lord, who made the motion, insisting upon it, all strangers were obliged to withdraw, except baron Schutz, envoy from Hanover, whose standing behind the throne among the peers sons was connived at. It is very probable, he did not fail giving a full account of this day's transactions to his court; and that the earl of Anglesea was noted down in the list of the persons, whom, by the act of settlement, the protestant successor was impowered to appoint to have a share in the regency, in case of a demise. But it was observed, that the same evening the earl supped with the lord Bolingbroke, and, two days after, appeared at the treasurer's levee; from whence it was conjectured, they had found means to regain him by the promise of the government of Ireland.

When the address against the pretender was reported by the committee appointed to draw it, the lord North and Grey made a long speech, 'Wherein he endeavoured to shew the barbarity of setting a reward upon any body's head; which, he said, was an encouraging of murder and assassination; and how repugnant such a practice was to christianity, the law of nature, and the laws of all civilized

1714.

‘lized nations.’ To which purpose he quoted some passages out of Grotius, Puffendorf, and other civilians. He represented in particular, ‘How inconsistent such a proceeding was with the honour and dignity of so august an assembly in a nation and government, famed for lenity and clemency;’ and in conclusion said, ‘No man either had more respect and affection for the illustrious house of Hannover, or would do more to serve them, than himself; but that they must excuse him, if he would not venture damnation for them.’ He was supported by the lord Trevor, who said, ‘What that noble peer had spoke, was sufficient to shew, how inconsistent such a proceeding was with christianity, and the civil law; and therefore he would confine himself to our own laws; and, if he knew or understood any thing of these, he was confident, they were no less opposite to such proceedings than the civil law. He knew, he did not speak there as a lawyer or judge, but as a peer. But he was so fully satisfied of our law discountenancing all such proceedings, that, if ever any such case should come before him as a judge, he would think himself bound in justice, honour, and conscience to condemn such an action as murder; and therefore he hoped, the supreme court of judicature in England, and the most august tribunal in the universe, would not make a precedent for encouraging assassination:’ concluding, that it was sufficient, and therefore he moved, ‘First, that the reward should be for apprehending and bringing the pretender to justice, in case he should land, or attempt to land, either in Great-Britain or Ireland, Secondly, That her majesty issue her royal proclamation, whenever, in her great wisdom, she should judge it necessary.’ The lords Cowper and Halifax said, ‘That such a proceeding, as repugnant as it might be to the precepts of christianity, was yet warranted by the practice of the old Romans, of the most civilized nations in Europe, and of our nation. For, without recurring to remoter instances, we had the example of king James the second, who set a price on the head of his own nephew, the duke of Monmouth.’ But these two lords were but weakly supported by their own party; and, the earl of Anglesea, and lords Ashburnham, Carteret, and Orrery, who, three days before, had left the court-party, having approved the lord Trevor’s motion, and most of the bishops, who were against such an address, being absent from the house, these mitigations were, upon a division, carried by a majority of ten voices.

The

The same day, upon a motion made by the lord Halifax, the lords resolved to present another address to the queen, 'That she would issue out a proclamation against all jesuits, 'popish priests, and bishops; as also against all such, as 'bore arms against the late king William and queen Mary, 'or her present majesty.' Upon this occasion, some severe reflections were made against those persons, who, being outlawed for adhering to the late king James and the pretender, had the assurance, and were encouraged, not only to come over, but even to appear here with a publick character. The earl of Anglesea said, on this occasion, 'That, for his 'own part, he was against widening our domestick divisions, by keeping up odious distinctions; and therefore, 'if they, who were born her majesty's subjects, and had 'been in arms against their country, were sensible of their 'fault, and inclined to return to their bounden allegiance, 'they ought, in his opinion, to open the door for them to 'come in.' But the house had other thoughts of the matter, and the next day resolved, '1. That no person, not 'included in the articles of Limerick, and who had borne 'arms in France or Spain, should be capable of any employment civil or military. 2. That no person, who is a 'natural born subject of her majesty, should be capable of 'sustaining the character of publick minister from any foreign potentate.' These resolutions were made with a view to Sir Patrick Lawless, who, having been the pretender's envoy at the court of Madrid, had come over with a credential letter from king Philip. But, upon the noise, which his being here made in both houses of parliament, he thought fit to go to Holland.

As a reflection had been made against the treasurer, for remitting yearly about four thousand pounds to the clans of Scotland, as if that sum were designed to keep in heart and discipline the pretender's friends, the lord Townshend moved for taking that affair into consideration. The duke of Argyle represented, 'That, the Scots highlanders being, 'for the most part, either rank papists, or declared jacobites, the giving them pensions was, in effect, keeping up 'popish seminaries, and fomenting rebellion.' In answer to this, the treasurer alledged, 'That in this particular he 'had but followed the example of the late king William, 'who, after he had reduced the highlanders, thought fit to 'allow yearly pensions to the heads of the clans, in order 'to keep them quiet; and, if the present ministry could be 'charged with any mismanagement on that article, it was 'only

1714.
Votes against persons outlawed, papists, and others.

The treasurer's conduct in remitting money to the highlanders approved.

1714. { only for retrenching part of that hush-money.' Nothing being alledged against this apology, the lord North and Grey made a motion for returning the treasurer the thanks of the house for his good services. But the lord Bolingbroke, to put it off, said, ' He was persuaded the treasurer ' was contented with the testimony of his own conscience, ' and desired no further satisfaction, than to have his conduct approved by that august assembly.' Which was accordingly done. Upon this unsuccessful attempt upon the treasurer, the lord North and Grey said, with an air of triumph, ' That, having, by this time, removed all fears and ' jealousies about popery and the pretender, he hoped the ' enemies of the ministry would now speedily produce all ' the objections they had against their conduct : ' and moved, that a day might be appointed for taking into consideration the state of the nation, with regard to the treaties of peace and commerce. He was seconded by the earl of Clarendon ; and then the house adjourned to the 13th of April ; but, the day before, the lord chancellor attended only by the whig lords, presented to the queen their address against the pretender (s), to which she returned the following answer :

My

(s) The address was as follows ;

' We your majesty's most dutiful and loyal subjects, the ' lords spiritual and temporal in ' parliament assembled, having ' a just and tender concern for ' your majesty, and our country, ' and being encouraged by that ' zeal your majesty has so often ' expressed from the throne, for ' the protestant succession in the ' illustrious house of Hanover, ' do now presume to renew our ' most humble application to ' your majesty, upon a subject ' so agreeable to you, as this ' which is nearest your own royal heart, and do humbly beseech your majesty, that whenever your majesty, in your great wisdom, shall judge it necessary, you will be graci-

' ously pleased to issue your royal proclamation, promising a ' reward to any person, who ' shall apprehend and bring the ' pretender to justice, in case he ' shall land, or attempt to land, ' either in Great-Britain or Ireland, suitable to the importance of that service, for the safety of your majesty's person, and the security of the protestant succession in the house of Hanover.

' We also desire leave to express our great concern, That ' your majesty's instances, for ' removing the pretender out of ' Lorrain, have not yet had ' their effect ; and do humbly intreat your majesty, that you ' will be graciously pleased to ' insist upon, and renew your ' instances for the speedy re-

' mov-

My lords,

"It would be a real strengthening to the succession in the house of Hanover, as well as a support to my government, that an end were put to those groundless fears and jealousies, which have been so industriously promoted.

The queen's answer to the address against the pretender.

"I do not, at this time, see any occasion for such a proclamation. Whenever I judge it to be necessary, I shall give my orders for having one issued.

"As to the other particulars of this address, I will give proper directions therein."

This answer revived the hopes of the pretender's friends, who, before the warm speeches against him in both houses, were so elated and secure of protection, that, towards the end of March, an agent of king James's queen offered to file a bill in chancery, wherein he demanded, in her name, the sum of six hundred fifty thousand pounds, due to her by the crown of England, for the dowry of fifty thousand pounds per annum since the death of king James the second. But, the agent having in the bill given her the title of queen-mother, the officer refused to file it; upon which the agent changed the title, and presented it in the name of 'the most illustrious princess Maria, relict of James the second, king of England. Though no notice was taken of this formal demand, yet, pursuant to a private agreement made in France by the lord Bolingbroke, about fifty thousand pounds were remitted thither for her use.

Demand of king James's queen delivered in Chancery.

The very day the address against the pretender was presented, an incident happened, which, as soon as known threw the ministers into the utmost confusion. On the 10th of April, most of the whig lords held a consultation at the lord Hallifax's, to which baron Schutz, envoy from the elector of Hanover, was admitted. It was resolved, pursuant either to the orders, Schutz had received from his court, or to the discretionary power, which was lodged with some of these lords, that the envoy should take the first opportunity to demand a writ for the electoral prince to sit in the house

Consultation of the whig lords.

A writ demanded for the duke of Cambridge.

'moving the pretender out of Lorraine; and likewise, that your majesty will be graciously pleased, in conjunction with the States-general, to desire the emperor to enter into the guaranty of the protestant succession in the house of Hanover, and also all such other princes, as your majesty shall think proper.'

1714. of peers, as duke of Cambridge. Accordingly on the 12th of April, baron Schutz made a visit to the lord chancellor, and among other civilities, acknowledged the affection, he had shewn, on several occasions, to the most serene electoral house of Hanover. The lord chancellor told him, ' he was ' extremely sensible of the honour he did him by his visit and ' compliment; and desired him to assure the elector, of his ' intire devotion to his service; hoping his electoral highness ' gave no credit to the false reports, that were industriously ' spread abroad, in order to give him jealousies of her ma- ' jesty's ministers.' The baron answered, he would not fail discharging so agreeable a commission; but he had a favour to ask of him, in the name of the electoral prince, that his lordship would be pleased to make out a writ for his sitting in the house of peers, as duke of Cambridge. The lord-chancellor surprized at this unexpected demand, told the baron, ' It was not usual to make out writs for peers, ' who were out of the kingdom. However, he would forth- ' with apply to her majesty for directions in this case.' The baron answered, ' He did not doubt, his lordship knew, ' and would perform the duty of his office. But, as to the ' objection of the duke of Cambridge's being out of the ' kingdom, he would assure him, his electoral highness had ' resolved to come over very speedily, and perhaps might be ' landed before the writ was made out.' Upon this, the baron taking his leave, the chancellor desired him to remember, ' He did not refuse his demand, but only thought it ' proper to acquaint the queen with it; which he would do ' immediately.' To this the baron said, ' He likewise de- ' sired his lordship to remember, that he applied himself to ' him for the duke of Cambridge's writ.' The chancellor having the same evening acquainted the queen, and her chief ministers, with these passages, a council was immediately called; and, having sat from nine o'clock till after eleven, it was resolved, That the lord chancellor should make out a writ for duke of Cambridge. This transaction, which, the next morning, was first whispered about in the court of requests, cast a sudden damp on the spirits of the open and secret friends of the pretender. It was then a question, whether baron Schutz had made that demand by express directions from his master, or only by the advice of some whig lords. But it is certain, the queen took so ill the baron's applying himself to the chancellor, before he acquainted her with his orders, that she sent the master of the ceremonies to forbid him the court. Two days after, a

messenger

messenger was dispatched to Mr Thomas Harley, at the court of Hanover, with instructions relating to the new scene opened by baron Schutz; who, about a week after thought fit to return to Hanover, having left with resident Kreyenberg a letter to Mr Bromley, telling him, 'That, having had the misfortune to incur her majesty's displeasure, and being thereby rendered incapable of serving his master any longer in this court, he thought it his duty to return home.' Kreyenberg delivered this letter to Mr secretary Bromley, who told him, 'That either he, or any other minister, whom the elector of Hanover would please to send over, would be well received by her majesty.' This affair occasioned various conjectures: and, as Schutz's declaration of the duke of Cambridge's intention suddenly to come over alarmed the pretender's adherents, so it raised the spirits of the well affected to the house of Hanover. What was the sense of the courtiers about the duke of Cambridge's coming over, and the present juncture of affairs, may be gathered from some remarkable passages in a pamphlet published about this time with the title of 'Hannibal not at our gates; or an inquiry into the grounds of our present fears of popery and the pretender;' of which one of the principal writers of the examiner was suspected to be the author. In this pamphlet, it was, among other things, ironically insinuated, 'That a certain gentleman was gone to Hanover to bamboozel.' And indeed it was the general opinion that Mr Harley, who arrived at Hanover on the very day baron Schutz demanded the writ, was sent only to amuse that court with professions of the treasurer's and all his friends devotion to the electoral family; and (it is said) as a proof of that devotion, with the very original of a letter, the queen had writ with her own hand to the pretender. But, as the subject of Mr Harley's last embassy is still a secret, no stress can be laid on the various conjectures, it occasioned. It may only be observed, he met with a cold reception at Hanover, and, making no long stay there, came back to London on the 25th of May. It may likewise be remarked, that, upon the first surprize of baron Schutz demanding the writ for the duke of Cambridge, the lord Paget, who was named envoy extraordinary to the court of Hanover, he declined that employment in so critical a juncture; and the earl of Clarendon was afterwards appointed.

The lord-chancellor having on the 13th of April, reported to the house of peers the queen's answer to the address

1714.

Resolution
for a second
address about
the pretender.

Pr. H. L.

against the pretender, some expressions in it did not please the whig lords, who moved for another address to return her majesty thanks for her answer: and containing the grounds and reasons of their former address. The court-lords, foreseeing, that, if such an address was carried, the prevailing party might advance to more vigorous resolutions, strenuously insisted not to enter into ungrateful particulars, but to confine themselves to expressions in the queen's answer. An order for such an address being offered, the duke of Leeds moved, that at the close of it, where mention was made of the 'fears and jealousies universally spread,' the words [and industriously] might be added: which, after a debate of four hours, wherein the bishop of Sarum made a long speech, was carried only by the majority of two proxies, the votes in the house being equal, sixty-one on each side. This victory of the courtiers was by their antagonists treated as little better than a defeat. And it is certain, that the whig lords had that day carried their point, had it not been for the accidental loss of four votes: the duke of Rutland, being then at Newmarket with a proxy in his pocket; the duke of Grafton, being sent for home to his duchess then in labour with her first child; and the earl of Gainborough, being taken so ill that very morning, that he could not sign his proxy. It was also remarkable, that of sixteen bishops then in the house, two only, Rochester and Durham, voted with the court: that the new bishops of London and Bristol, who were thought blindly devoted to the ministry, joined with the whigs; as did also the earl of Anglesea; which was undoubtedly owing to baron Schutz's demanding a writ for the duke of Cambridge, which visibly gave life and weight to the whig-party. However, the resolution being laid before the queen, she only answered, 'She thanked them for their address; and that she took very kindly the assurances they gave.'

Debate about the
treaties of
peace and
commerce.
April 14.
Pr. H. L.

On the 14th of April, a motion was made for taking into consideration the treaties of peace and commerce; and some speeches were made on both sides, after which the debate was adjourned to the 16th. That day the whig lords being apprehensive, that, if any debate arose about the Spanish treaty, the other party would propose an address to the queen, approving of that treaty, which they thought absurd, they therefore agreed to say nothing against the treaty, that might draw them into a debate. The lord North and Grey stood up first, and said, If any lord had any objections against the Spanish treaty, he was ready to answer

1714.

answer them; and so, in a challenging manner, went, on for some time. After he had done, there was a silence for a quarter of an hour; and then the earl of Clarendon said, 'My lords, since no objection can be raised against the Spanish treaty, we should address her majesty to return her our most humble thanks, for having, by a safe, honourable, and advantageous peace with Spain, delivered these nations from a long, consuming land war; and to desire her, notwithstanding any obstructions, that may be thrown in her way, to proceed to the settlement of Europe, according to the principles laid down in her most gracious speech.' To this the lord Cowper answered, 'My lords, this is the most barefaced attempt, that ever was made by this or any other ministry, to secure themselves, by endeavouring to get the sanction of this house for themselves. My lords, I have no objections against these treaties. Are the ministers themselves jealous, that their actions stand in need of the sanction of this house? Else why this endeavour at an address, to make their act the act of the house? The lord, that spoke first, acting like a soldier, would, by skirmishing, have drawn on a general engagement; but the troops are too well disciplined to fall into an ambuscade of his laying. But I cannot remove my finger from the original of our misfortunes, "the cessation of arms." We were then told, that, if a blow had been struck, it would have ruined the peace. Would to God it had ruined this peace.' To support this, the lord Hallifax said, 'What was last mentioned, my lords, makes me rise into the highest resentment of the vile usage given my lord duke of Ormond; a lord, for whom I have the most profound respect. My lord Ormond went over into Flanders with a true English heart, which, my lords, is the best in the world, with a desire to do his country all the service his great ability capacitated him to do. Therefore, it must be inconceivable, the horrible anguish it must give his noble and generous heart to receive such shocking orders, restraining the noble ardour of the soldiers, flushed with former victories, and hopes of still greater.' The earl of Nottingham said, 'My lords, I never knew the like address to this ever offered at but once, in the case of the duke of Suffolk, who, in Henry the Seventh's days, had made a treaty, for which he thought it convenient to get the sanction of this house by an address, and got seven lords made at one time to carry the vote. Yet he was called

1714.

* Utmost
effort.
† Certain
ruin.

An address of
thanks for
the peace
voted.

‘ to an account afterwards for the treaty, notwithstanding
‘ the address. I say no more of the man, because he came
‘ to an untimely end.’ The bishop of Salisbury likewise
said, ‘ My lords, I do not understand what law or reason
‘ can be given, to impower one ally to disengage himself
‘ from his other allies, unless in a proper manner and time
‘ he acquaints them, he has done his ultimus conatus *;
‘ and that to proceed further would be a certa perniciēs †.
‘ That we had not come to our ultimus conatus is plain,
‘ since in the year of the cessation of arms, and the year
‘ following, wherein nothing was done, we made as great
‘ efforts as the former, when we did so many glorious
‘ things; and to proceed further, in all human probability,
‘ it would have been certa perniciēs to our then enemy
‘ the French.’ The bishop of London, who had been
‘ one of the plenipotentiaries at Utrecht, answered, ‘ My
‘ Lords, at the cessation of arms, our case was the very
‘ case in point, which the bishop of Sarum puts, for we
‘ had then come to our ultimus conatus, and, for aught
‘ we know, to proceed further would have been certa
‘ perniciēs.’ The earl of Wharton replied, ‘ I did design
‘ to have said a great deal to-day, but I find it anticipated
‘ by the lords, who have spoken before me. Only I must
‘ say what I learn by sitting here, that the carrying this
‘ vote is the ultimus conatus of the ministry; and, if they
‘ do not carry it, it will be to them certa perniciēs. Good,
‘ my lords, gratify my curiosity, to let me see what certa
‘ perniciēs will be.’ Some other whig lords maintained,
that there was no absolute necessity of making a peace, the
nation having given almost as much money for these three
years past, as during any three years of the war; and, as
for the pretended advantages, gained by the treaty with
Spain, it was plain they were no more than what had been
stipulated before by the treaty of the year 1667. They
also complained of the method, in which the negotiation of
peace had been carried on, and of our giving up the inter-
ests of the emperor, the king of Portugal, and of the Cata-
lans. But after a warm debate, that lasted till nine o’clock
in the evening, it was resolved by a majority of eighty-two
votes against sixty-nine, to present an address, to acknow-
ledge ‘ her majesty’s goodness to her people, in delivering
‘ them by a safe, honourable, and advantageous peace with
‘ France and Spain, from the burden of a consuming land
‘ war, unequally carried on, and become, at last, impracti-
‘ cable; and to intreat her majesty to pursue such measures,

as she should judge necessary for compleating the settlement of Europe on the principles laid down in her majesty's speech.' An address to that purpose was the next day agreed to, and sent down to the commons for their concurrence.

In the mean time, to prepare the commons to give their approbation to the conduct of the ministry, in concluding their treaties with France and Spain, several papers were laid before the house: particularly, a report, with observations from the commissioners of publick accounts, setting forth the abuses and mismanagements in cloathing the army, in disposing the off-reckonings of regiments, and in other instances. Then, to give a view how heavy the war was become to England, and how insupportable the continuance of it would have proved, there was added 'a state of the expence of the late war, for twelve years,' which, with the supply of 2,776,228*l.* granted this session, amounted to above sixty-eight millions and a half. But the most remarkable paper of all was an account of the state of the several treaties of peace, between the queen and her allies, and France and Spain, with the obstructions she had met with, in her endeavours to make the same universal and compleat; and of what was done relating to the Catalans.

This account (supposed to be drawn up by the lord Boringbroke, in order to remove the objections against the late treaties, particularly, the giving up the interests of the king of Portugal and of the Catalans) was so varnished over with glosses and popular pretences, that many members, who were willing to believe what was said, and had no opportunity or inclination to be better informed, were persuaded of the truth of it, and induced to side with the ministry in all the debates about the succession and treaties (t).

Report of the commissioners of publick accounts.

April 13.
Pr. H. C.

Account of the late treaties laid before the commons.
Pr. H. C.

Many members gained by it.

On

(t) The substance of this account was as follows: the author began with artfully suggesting, 'That her majesty looked upon the peace between Spain and Portugal to be as good as concluded: that, in the mean while, her majesty had taken the most effectual care of the interests of the king of Portugal, having given to that prince, on

' the 18th of August 1713, of her own motion, a new guaranty, whereby the queen obliged herself to secure the restitution, even by force of arms, if that should become necessary of any thing, which might be taken from Portugal, before the conclusion of the peace; to procure to that crown the colony of the Sacrament, or, in lieu thereof, such an equivalent, as
M 4 ' the

1714.

The protestant succession voted out of danger by the commons.
Pr. H. C.

On the 15th of April, a motion was made in a committee of the whole house, by Sir Edward Knatchbull, and the question put, 'Whether the protestant succession in the house of Hanover be in danger under her majesty's government? Mr secretary Bromley endeavoured to prove it was not, by representing what the queen had done for securing

'the king of Portugal himself
'should be contented to accept:
'to obtain satisfaction to the
'Portuguese, for what they
'claim to be due to them on account of their Affiento, or contract with the crown of Spain;
'and to set on foot, after the
'peace, an amicable negotiation, for accommodating the
'differences, which had arisen,
'concerning several estates situated in Portugal, and claimed
'by subjects of Portugal, residing in Spain; and concerning
'those Spanish ships which were
'about the beginning of the
'war, seized by the Portuguese.
'That on these principles the
'earl of Strafford made a solemn declaration to the ministers of Spain in February last,
'when he exchanged with them
'the instruments of ratification
'of the treaties between her majesty and the catholick king.
'That the peace, which the
'queen then ratified, did not
'dispense with the obligations,
'which she lay under to the
'king of Portugal, as well by
'her guaranty lately granted,
'as by her defensive alliance
'made in 1703.' As to the Catalans, it was alledged, 'That
'the landing of the earl of Peterborough in Catalonia, and
'her majesty's entering into
'that part of the war, were in
'consequence of the solicitations of the Catalans, and other

'Spaniards, affected to the house
'of Austria; and that all the
'engagements, which she gave
'to these people, went no farther than the obtaining from
'king Charles the third a confirmation of their rights and
'privileges: and although her
'majesty offered, at that time,
'to give a guaranty for the
'same, and to enter into a treaty with that people; yet it did
'not appear that such a guaranty was ever given, or that
'such a treaty was ever made.
'That notwithstanding the
'treatment the queen had received from the emperor, and
'the just provocation she had to
'leave him to struggle with the
'consequences of his own measures; yet, at the end of the
'year 1713, her majesty set a
'negotiation on foot for the evacuation of Catalonia, and the
'neutrality of Italy. That her
'majesty's aim, by the first part
'of this treaty, was, to secure
'the return of the emperor, and
'of the imperial troops; and
'since she could no longer support the Catalans by her arms,
'to provide for them by the
'terms of peace. That her
'majesty's aim, in the second
'part, was to leave as little
'room as possible for France, or
'Spain, to attack his imperial
'majesty, when the treaties between her majesty and the
'States-general should be concluded

securing that succession, and removing the pretender from Lorrain.' He was answered by Mr Walpole, who, with great spirit, shewed the protestant succession to be in danger, not from her majesty, but from the dubious conduct of some persons in high stations; and therefore insisted, that the queen might not be mentioned in the question. Mr Cam-
pion,

cluded with the most christian king. That the queen considered, that these treaties, and the barrier of the States, would secure the ten provinces of the Netherlands from any invasion; and, by this convention for a neutrality in Italy, the emperor's territories in that country were likewise covered; so that by the care, which her majesty took, since he was determined to run the risk of continuing single in the war, he would lie open in no frontier but that of the Rhine, where, by the same means, he would be able considerably to increase his strength, as well with draughts out of Italy, as with the Germans, and other forces, which were to be transported from Spain. That it was no sooner than the end of January 1712-13, that, by the good offices of her majesty's ministers at Utrecht, the imperial and French plenipotentiaries were brought to meet upon this negotiation; and, in the mean time her majesty endeavoured to induce the catholic king to facilitate this matter as much as possible, and particularly on the head of the privileges of the Catalans, in which the ministers of France concurred with the greatest earnestness. But that it soon appeared, that his catholic

majesty, who saw the advantage which the conduct of the imperial court gave him, would hardly be prevailed upon to grant any thing more than a general act of oblivion, and a restitution of honours and estates. That on the 14th of March, N. S. 1713, the convention for the neutrality of Italy, and the evacuation of Catalonia was executed, and the article concerning the privileges of the Catalans left undetermined; a right being reserved to her majesty to insist, whenever the emperor should treat of peace, that those privileges should be preserved to them; and the most christian king declaring, that he would concur with the queen to the same end. That in May 1713, the treaty of peace between her majesty and the catholic king was signed provisionally here, and in July definitively at Utrecht; whereby there was not only an absolute amnesty, with a full possession of all their estates and honours, but also the privileges of the Castilians granted to the Catalans; which article was, at least in this respect, considerable, that the people of Catalonia are thereby intitled to hold any employments in the West-Indies, or to trade directly thither, in as full and ample a manner,

1714.

pion, having spoken in vindication of the ministry, was answered by the earl of Hertford. The lord Hinchinbroke expressed likewise his fears of the protestant succession being in danger, from the encouragement, that was given to the pretender's friends, and particularly in North-Britain, which he had an opportunity to observe, when he was there with the regiment, in which he had a troop. After some other speeches, the court-party, being apprehensive the question would go against them, endeavoured to drop it, by moving, that Mr Freeman, chairman of the committee, should leave the chair. Upon this, Sir Thomas Hanmer, the speaker, made a memorable speech, importing, ' That he was sorry to see, that endeavours were used to wave that question, and stop their mouths; but he was opinion, this was the proper, and perhaps the only time for patriots to speak. That a great deal of pains were taken to screen some persons; and, in order to that, to make them overlook the dangers, that threatened the queen, the nation, and the protestant succession. That, for his own part,

' manner, as the people of Castile, from which they were formerly as much excluded as any foreign nation whatever. That the preservation of their antient privileges was neither granted nor directly refused by this article; so that the queen, either when the peace should come to be treated between their imperial and catholic majesties, or on another favourable occasion, which might offer itself, was at liberty to renew her application upon this head. That in the mean time it was certain, that the refusal of the people of this principality, as well as the island of Majorca, to submit to the catholic king, when, in pursuance of the treaty of neutrality, these countries were evacuated by the emperor's forces, and their obstinate resistance, since

' that time, must, have rendered the obtaining of their privileges still more difficult than it was. In short, that, if the antient privileges of these people, in their full extent, were not obtained, it must be attributed to those, who rendered it impracticable to treat effectually for them, before the withdrawing of the queen's forces out of Catalonia; and, if their condition was become since more desperate, those only were to answer for it, who had encouraged them not to submit a second time to their prince, with the hopes of relief, which they, who gave such hopes, must have known themselves in no condition of making good.' As to the treaty with France, after a long detail of the negotiation, upon the overtures made by that crown in April 1711, it

was

part, he had all the honour and respect imaginable for her majesty's ministers; but that he owed still more to his country than to any minister. That, in this debate, so much had been said to prove the succession to be in danger, and

was alledged, ' That by the conferences held with monsieur Buys here, by the accounts which came from abroad, and by the representations, which some of the allies made to her majesty, it appeared undeniably evident, not only that the war was become, on the present foot, absolutely impracticable, but also that no alteration could be attempted, either in the method of carrying it on, or in the views towards which it was directed, without dissolving at once the confederacy; and that the dispute was in fact, not whether a peace, by which Spain and the Indies would be left to Philip, should be made, but who should have the making of it? That the real annual expence of this kingdom amounted to more than seven millions; whereas we were not in a condition effectually to raise near six millions in the course of a year; from hence it follows, that, if this proportion had been continued, about nine millions would have been the true charge of a second year, and about eleven millions that of a third. But this was the state of our affairs, whilst the house of Austria contributed nothing but one regiment to the war of Spain, little to that of Italy, had but few forces, and those intirely unactive on the Rhine; and sent none into

the Netherlands, except such as those harassed provinces were obliged to maintain, and were thereby rendered unable to furnish troops, or make the necessary provisions for the operations of the army; both which they might otherwise have done, and both which they did in an eminent degree, whilst they were under the government of the present king of Spain. That the States-general bore a considerable burden; but, as they had, from the year 1708, sent no supplies of any kind, either to Portugal, or to Catalonia, and had drawn themselves almost entirely out of the Spanish war; as they furnished, in no proportion, their quota for the sea-service; as they had reduced their joint contributions with the queen, in all payments, to one third of the whole; and as they were very backward in answering even this share of expence; so the load of Great-Britain came, upon their account, as well as upon the emperor's, to be vastly increased. As to the rest of the allies, all the troops which they furnished, were maintained by the queen and the States, except a few, and those almost wholly employed in covering their own frontiers. That, in this situation of affairs, her majesty declared to the Imperialists, and to the Dutch, that

1714.

‘and so little to make out the contrary, that he could not but believe the first.’ He concluded with taking notice of Sir Patrick Lawless being suffered to come over, and admitted to an audience of her majesty.’ This speech had a great

‘that if they would not allow France to have given sufficient grounds for opening the conferences; if they were desirous to carry on the war, and determined to accept of no terms of peace, inferior to those, which had been formerly demanded and refused; she was, on her part, ready to concur with them. But that, in justice to herself, and to them, she thought herself bound to let them know; that she could no longer bear so disproportionate a burden: That it was evident, that the common effort must be still greater than it was; or that there would remain no prospect of arriving at the ends which they proposed; and that for these reasons it would be incumbent upon them, if the war continued, to increase their expences, whilst the queen reduced hers. That the ministers of the States-general were very candid and open upon this head: monsieur Buys asserted, that his masters had done their utmost already; and could be obliged to no more: many of the others had, on several occasions, declared their country unable to support the charge they were at another summer; and the pensionary himself, in a deputation of the States, appointed to attend the earl of Strafford, in October 1711, declared, that it was

‘impossible to think of continuing the war another year. That what from the emperor, and what from the princes of the north, we should be in the utmost danger, should we attempt to do it; and finally, that They were traitors to their country, who were against the peace. That many instances might be produced to shew, that there was at least as little reason to expect from the house of Austria, as from the States-general, a greater effort than they had hitherto made. That the imperial ministers confessed that their master expected the queen should furnish all the money; and that the utmost he could do, would be to send troops at her expence; in the same breath avowing the emperor’s intention to break the negotiation of peace, and to continue the war, till Spain was conquered; the intire monarchy whereof he expected. That upon the death of the late emperor Joseph, in the beginning of the year 1711, the eyes, not only of the princes of the empire, but of all the confederates, and of her majesty, in the first place, were immediately fixed on his brother. And this event occasioned a great alteration in the counsels of Europe, and gave a new turn to the sentiments of many princes. That there was reason to believe, that the ministers

a great influence on the unbiassed and unprejudiced members; but nevertheless, after a long and warm debate, it was resolved, by a majority of two hundred and fifty six voices against two hundred and eight, 'First, that it was

'the

'ministers of Vienna themselves began to cool in the project of recovering Spain and the Indies. They seemed to intend nothing more, than to get the present emperor into Germany, and to secure the possession of Italy to themselves. That, in Holland, a partition of the Spanish monarchy seemed almost the general scheme; and the conduct of that republick, as well as the confession of its ministers, shewed, that the project of driving Philip out of Spain was looked upon there to be pure chimera. That her majesty had been acquainted, that some of the princes of the empire thought it a point which deserved the most serious reflection, whether they should suffer the imperial and Spanish crowns to be united on the same head; and whether it might not be proper, in the capitulation of the empire, to insist on the separating of them. That other members of the grand alliance, and those the only two, with whom her majesty had entered into any formal engagement for recovering the entire Spanish monarchy, represented upon the same occasion against placing this crown on the emperor's head. And it was urged by one of the most considerable princes in the alliance, that the principle, upon which he engaged

'in the war, was now altered; and that instead of fighting to procure the Spanish monarchy to the house of Austria, his interest, and even his safety, required, that he should fight to prevent it. That the case therefore stood thus: the present emperor, even after his brother's death, and his own election, would content himself with nothing less, than the whole Spanish monarchy, and insisted, that the war should be prosecuted in this view. Of the other allies, some looked on this prospect as chimerical, others as dangerous: from whence it follows, that to keep the grand alliance united in this principle was impracticable; and it must be allowed, that to have many different interests, and to have formed a system intirely new, in the midst of the war, was an experiment too hazardous to be attempted. That in this situation of affairs no time was to be lost. The queen knew very well, that attempts to open a treaty with France separately from her were made by those, who clamoured the loudest against her measures; and the present emperor had thought fit, on board one of her majesty's ships, and by her own ministers, to send her a message of the same nature. She therefore insisted with the Imperialists, and with the Dutch,

1714.

the opinion of this committee, that the protestant succession in the house of Hanover was in no danger under her majesty's government. Secondly, that the house be moved, for an address to return the thanks of the house to her majesty,

Dutch, that she would be at some certainty, and that they should comply with her in the measures either of war or peace. The war being become impracticable, as was shewn before, the author of the Account relates what objections there were to the carrying on a treaty of peace. That the principal, and only avowed dispute between her majesty and the States at this time, concerned the method of carrying a negotiation forward. That, the States pretended, that a fair opportunity would be given to the ministers of France to divide the confederates, if they were suffered to meet together in a general congress, before the essential articles of peace were settled by specific preliminaries. That the use which had been made of this method on a former occasion, to evade the concluding of any peace, when, according to the confession of the Dutch ministers themselves, the difference, on which the allies and France broke off, did not deserve the life of a single soldier, gave no great encouragement to pursue the same again: besides which, as the queen would not take upon her to settle the interests of others, neither would she suffer others to determine those of her own kingdoms: and, if all the confederates were to assemble,

in order to adjust a preliminary treaty, the objection made by the States returned upon them. That, in December 1711, the States concurred with her majesty in fixing the place and time of the treaty: and, if nothing had happened to revive the spirits of those who were bent against the peace, it is highly probable, by the little time which it cost to conclude most of the treaties, after the conferences that had been interrupted, were resumed at Utrecht, and the allies proceeded in earnest to negotiate, that the treaties of all the confederates with France might have been finished, before the season of opening the campaign in 1712: But that, before monsieur Buys returned into Holland, or the conferences could begin, the efforts were renewed with the greatest vigour, to break off the negotiations; the cry against a peace, by which Spain and the Indies should be left to any branch of the house of Bourbon, became louder than ever; and letters and memorials were not only delivered, but printed; and appeals made against her majesty's proceedings to all Europe, and even to her own subject. That, on these encouragements, the good dispositions towards peace received a check; and some of those who had owned them-

‘ majesty, for the instances she had used for the removal of
 ‘ the pretender from the dominions of the duke of Lorrain;
 ‘ and to beseech her to renew her instances for his speedy
 ‘ removal from thence.’ When these resolutions were re-
 ported

1714.

‘ themselves against the profe-
 ‘ cution of the war, to recover
 ‘ the whole Spanish monarchy
 ‘ to the house of Austria, join-
 ‘ ed now, under this very pre-
 ‘ tence, to break the measures
 ‘ of peace. That the treatment
 ‘ which her majesty met with at
 ‘ this time, will appear in the
 ‘ clearest light from this cir-
 ‘ cumstance: the minister of the
 ‘ States-general proposed to her
 ‘ majesty’s servants, that, con-
 ‘ sidering the difficulties which
 ‘ the queen lay under, how im-
 ‘ possible it was to recover by
 ‘ war, or by treaty, the Spanish
 ‘ monarchy from king Philip,
 ‘ and how impossible he appre-
 ‘ hended it to be for her ma-
 ‘ jesty to carry on any negotia-
 ‘ tion, by which this monarchy
 ‘ should be left to Philip, he
 ‘ was ready (to extricate her
 ‘ majesty from this dilemma,
 ‘ and to screen her ministers in
 ‘ carrying on the work which
 ‘ they had begun) in the name
 ‘ of his masters, to present a
 ‘ memorial, by which the point
 ‘ of obtaining Spain and the
 ‘ Indies should be given up;
 ‘ provided he might be assured,
 ‘ that the Dutch should have an
 ‘ equal share with her majesty’s
 ‘ subjects in the Assiento, which
 ‘ contract, he supposed, it was
 ‘ stipulated should be made with
 ‘ Great-Britain. That from the
 ‘ causes, and by the steps a-
 ‘ bovementioned, was the dis-
 ‘ union among the allies arri-
 ‘ ved to the highest pitch, at the

‘ opening of the conferences in
 ‘ January 1711-12, when the
 ‘ strictest union amongst them
 ‘ was more than ever necessary,
 ‘ and when the whole fruit of
 ‘ those successes, wherewith
 ‘ God had blessed their cause,
 ‘ in the course of the war,
 ‘ depended on it. That they
 ‘ sent their several plenipoten-
 ‘ tiaries to Utrecht; but it was
 ‘ very apparent, that most of
 ‘ them acted on that maxim,
 ‘ which one of them professed,
 ‘ that giving into the measures
 ‘ of peace was the surest way
 ‘ to continue the war. They
 ‘ flattered themselves, that the
 ‘ imperial ministers, in con-
 ‘ junction with those of Britain,
 ‘ having, two years before, bas-
 ‘ fled the designs of Holland to
 ‘ make peace, it would be, at
 ‘ least, as easy for the ministers
 ‘ of the empire, in conjunc-
 ‘ tion with those of the States-
 ‘ general, to render fruitless,
 ‘ at this time, all her majesty’s
 ‘ endeavours to the same end.
 ‘ And that, after this, it would
 ‘ not appear surprizing, if the
 ‘ utmost dexterity was exerted
 ‘ to delay the entering on busi-
 ‘ ness at Utrecht, and to wait
 ‘ for the events of the cam-
 ‘ paign. Concluding, that, from
 ‘ this state of the several trea-
 ‘ ties between her majesty, her
 ‘ allies, and France and Spain,
 ‘ the reasonableness of all the
 ‘ steps her majesty had taken,
 ‘ and those designs which had
 ‘ been pursued at first, to wrest
 ‘ the

1714.

ported the next day to the house, there arose a debate, in which Mr Walpole, Mr Lechmere, and general Stanhope made very strong speeches. Mr Walpole, among other things, applauded the publick spirit, which the speaker had shewn the day before; but added, he despaired of seeing truth and justice prevail, since, notwithstanding the weight of a person of his known integrity, merit, and eloquence, the majority of votes had carried it against reason and argument, general Stanhope endeavoured to prove the protestant succession to be in danger by this single but forcible induction, 'That as it was universally acknowledged, it had been the French king's intention, so it was still his interest, and he had it now, more than ever, in his power to restore the pretender.' However, it was carried without a division, that the protestant succession was out of danger, and that an address of thanks should be presented to the queen. To which address she answered, that she would renew her instances for the removal of the pretender out of Lorrain.

The Commons agree with the lords in an address upon the treaties of peace.
Pr. H. C.

The lords having sent (as hath been said) a message to the commons for their concurrence, in an address of thanks for the treaties of peace and commerce with France and Spain, the message was taken into consideration on the 22d of April, and a warm debate arose. The most material objections were raised by Mr Ward, an eminent merchant, to the treaties of commerce, in which many essential points, particularly the duties on several sorts of goods and merchandize, were left loose and undetermined, and therefore liable to arbitrary explanations. Mr Auditor Foley having answered him, he was replied to by Mr Horace Walpole, who was supported by Sir Peter King. Mr Aislabe, who had, some time before, left the court-party, and was therefore removed from his place of one of the lords of the admiralty, spoke, on this occasion, with great vehemence against the ministers, for having made so precarious a peace. They were answered by Mr Campion; and the leading men among the whigs plainly perceiving, from the noise

'the negotiation out of her hands, and since to unravel all that had been done, and to throw us into confusion, would sufficiently appear.'

This account made a great impression upon the generality

of the members; yet the weight of it will be easily taken off, by comparing it with the original papers relating to those transactions, which were afterwards inserted in the report of the committee of secrecy.

and

and laughter of their antagonists, that they were sure of a majority, gave up the contest, and did not think fit to insist on a division, which would but expose their weakness. So it was resolved to agree with the lords in the following address, which was presented, the 24th of April, by both houses to the queen:

Most gracious Sovereign,

"WE your majesty's most dutiful and loyal subjects, the lords spiritual and temporal, and commons in parliament assembled, beg leave to express the just sense, which we have of your majesty's goodness to your people, in delivering them, by a safe, honourable and advantageous peace with France and Spain, from the heavy burden of a consuming land war, unequally carried on, and become at last impracticable. And we do most earnestly intreat your majesty, that you will be pleased, with the same steadiness, notwithstanding all the obstructions, which have been, or may be thrown in your way, to pursue such measures, as you shall judge necessary for compleating the settlement of Europe, on the principles laid down by your majesty in your most gracious speech from the throne."

To which the queen returned this answer:

My lords and gentlemen,

"The state of publick affairs in Europe, as well as the necessities of my own kingdom obliged me to enter into a negotiation of peace; and, notwithstanding all obstructions and difficulties, I have, by the blessing of God, brought it to a happy conclusion."

"I esteem this address as the united voice of my affectionate and loyal subjects; and I return you all the heartiest thanks, which can be given by a sovereign, who desires nothing more, than to see her people safe and flourishing (u)."

Thus

(u) Though the queen esteemed this address, as the united voice of her loyal subjects, yet the Lords, in their first address to king George I. said, 'It is by no means to be imputed to

'the nation in general:' and the commons, in less than a year afterwards, said: 'We are sensibly touched not only with the disappointment, but with the reproach brought upon

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1712.

Thus the ministers obtained a parliamentary sanction to their late measures, and by that means thought themselves secure from any future enquiries.

A letter
from Lesley
in favour of
the pretender.

In the mean time, notwithstanding the proceedings and addresses of both houses against the pretender, his friends, depending on a superior power, still endeavoured to promote his interest with great industry. To this purpose, a letter written by Mr Lesley, a famous nonjuring clergyman, from Barleduc in Lorraine, the pretender's residence, to a member of parliament in London, was openly handed about, containing a particular account of the state of affairs, and what observations Mr Lesley had made since his coming thither (x).

About

' the nation by the unjustifiable
' conclusion of a war, which
' was carried on at so vast an
' expence, and was attended
' with such unparalleled suc-
' cesses: but, as that dishonour
' cannot in justice be imputed
' to the whole nation, so we
' firmly hope, and believe, that,
' through your majesty's great
' wisdom, and the faithful en-
' deavours of your commons,
' the reputation of these your
' kingdoms, will, in due time,
' be vindicated, and restored.'

(x) This letter is dated, April 23, 1714, and begins with a description of the pretender's person and character; his graceful mien, magnanimity of spirit, devotion free from bigotry, application to business, ready apprehension, sound judgment, and affability; so that none conversed with him, but what were charmed with his good sense and sweetness of temper. Then, coming to the main design of this letter, Mr Lesley said, 'That the chevalier expressed no resentment at the cruel proceedings of the parliament, to leave him no place to flee unto. But

that other men were astonished, and said, 'For what is all this rage? What has he done? Was it a crime in him to be born? If his birth was supposititious, it was a good reason indeed to bar his accession to the throne, but none to persecute him, or set a price on his head, as was proposed in parliament, by a rich and powerful party, to encourage the assassination of him.' He added, 'That, since so much depended on his birth, why was it not inquired into? That the prince of Orange promised it in his first declaration, and referred it to be examined in parliament: but, this not having been done, either by parliament, court of judicature, or any other authority whatever, it afforded an infallible demonstration of the truth of his birth; since, by the laws of God and man, every child, that is owned by both parents, is to be received as such, unless evident proof be made to the contrary. That it was very obvious, why for-

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1714.

About the same time, both parties being in suspense, upon the hopes or fears of the coming over of the duke of Cambridge, the authors of the Examiner plainly enough discovered the perplexity some of the ministers were in at that

The queen writes to the princess Sophia about the duke of Cambridge's coming over.

mer parliaments, and in a former reign, would not enter into the examination of his birth, because they knew the truth of it, and that no proof could be made against it. But the false rumours and suppositions, which were industriously spread abroad concerning it, to make way for the prince of Orange more easily to ascend the throne (having served their turn) were laid aside, like scaffolding, when a house is built. That he hoped it was reserved for this parliament, to make a full examination, and to set the nation at rest upon this material point; if not, the birth of this prince was infallibly confirmed. That there was no danger herein to his sister, who now reigned; for none could doubt but he would be very well pleased to make such a compromise with her, that she might hold the crown during her life, provided his succession after her were settled; and give all the security for this, that could be desired, even to put his person into her hands, if she thought fit. And that would unite both their interests, and render her reign more secure, and comfortable to her, than it was or could otherwise be. That, if we were afraid of a popish successor, why did we make the next successor a papist? For it was they did it,

‘ who banished him, when an
‘ infant, into a popish country,
‘ and passed an act of attainder
‘ against him, if he should re-
‘ turn to be instructed in our re-
‘ ligion; and had sent to all
‘ the protestant courts in Europe
‘ not to admit him, or to drive
‘ him thence, if he should
‘ come, and had excluded him
‘ from the crown, without any
‘ reserve for him, though he
‘ should become a protestant;
‘ and at the same time declared
‘ openly, they would not be-
‘ lieve him, if he should pro-
‘ fess it: which things were so
‘ irrational, that they had no
‘ tolerable foundation to stand
‘ upon. That the British na-
‘ tion had no reason to be a-
‘ fraid of the chevalier’s introdu-
‘ cing popery and slavery, since
‘ he had neither foreign force
‘ nor alliances; and, if he were
‘ upon the throne, he must be
‘ perfectly in the hands of his
‘ people. That, as to religion,
‘ he had promised to hear, in
‘ due time and place, what
‘ could be said on that sub-
‘ ject; which was all that could
‘ be expected. But that, what-
‘ ever should be the issue of his
‘ hearing, as to his own pri-
‘ vate judgment, the church of
‘ England, might be no less se-
‘ cure; for it was always his
‘ fixed persuasion, that the secu-
‘ rity of the crown and church
‘ of England, was, next under
‘ God, in their mutual support
‘ of each other. And because

1714.

* See Examiner of
April 23,
1714.

that juncture*. On the other hand, Mr Toland published the reasons and necessity of the duke of Cambridge's coming and residing in Great-Britain; the last of which reasons was, 'That the prince's coming over would bring to the test some great persons, who were reported to act on perfidious and dangerous principles to the Hanover family.' But neither the queen nor her ministers were willing to put things upon that issue; for, upon a report, that the princess Sophia intended to desire the queen's approbation for the duke of Cambridge's coming into England, her majesty, with the advice of her cabinet council, wrote to that princess the following letter:

'the greatest hurt any king of England can do to the church of England is putting bad bishops upon her; this being a corrupting the fountain; therefore, to avoid all jealousies, he was willing, during his reign, so far to wave his prerogative in the nomination of bishops, deans, and other ecclesiastical preferments in the gift of the crown, that five bishops should be appointed, of which the archbishop of Canterbury, for the time being, always to be one; who, upon any vacancy might name three persons to him, of whom he would choose one. And the church of England, as by law established, should be secured in the sole possession, not only of all the churches, but of the universities, and even schools. And, as a further mark of his favour, he remitted, during his time, the tenths and first fruits payable by the bishops and clergy to the crown. That he had informed himself of past miscarriages, and knew well the difference between the office of a king and a missionary. That therefore he would concern himself with no man's

'religion, but was resolved to defend that, which was legally established, and whose principles are true to monarchy and safe for government. That, for the satisfaction of the church of England, and his own restoration, he thought himself obliged to do every thing that was consistent with conscience and honour. That, as an instance of his good intentions, he had sent for Mr Lesley to officiate to the protestants in his family; had caused a room to be fitted up in his own house for a chapel for them; and had taken out of their congregation his present secretary of state and chief minister.' And, in order to prejudice the people against the protestant succession, Mr Lesley subjoined, 'That the avowed doctrine of the illustrious house of Hanover was consubstantiation; which was as erroneous, and as contrary to the doctrine of the church of England, as transubstantiation; and yet no provision had been made, that, when they should come into Great-Britain, they should be of the communion of the church of England.'

Madam,

Madam, sister, aunt,

‘ Since the right of succession to my kingdoms has been declared to belong to you and your family, there have always been disaffected persons, who, by particular views of their own interest, have entered into measures to fix a prince of your blood in my dominions, even whilst I am yet living. I never thought, till now, that this project would have gone so far, as to have made the least impression on your mind. But, as I have lately perceived by publick rumours, which are industriously spread, that your electoral highness is come into this sentiment, it is of importance, with respect to the succession of your family, that I should tell you such a proceeding will infallibly draw along with it some consequences, that will be dangerous to that succession itself, which is not secure any other ways, than as the prince, who actually wears the crown, maintains her authority and prerogative. There are here (such are our misfortunes) a great many people, that are seditiously disposed. So I leave you to judge what tumults they may be able to raise, if they should have a pretext to begin a commotion. I persuade myself, therefore, you will never consent, that the least thing should be done, that may disturb the repose of me or my subjects.

‘ Open yourself to me with the same freedom I do to you, and propose whatever you think may contribute to the security of the succession, I will come into it with zeal, provided that it do not derogate from my dignity, which I am resolved to maintain. I am, with a great deal of affection, &c.’

St James's, May 19, 1714.

Superscribed,

To my sister and aunt, electress dowager of Brunswick and Lunenburg.

The queen, at the same time, wrote a letter to the duke of Cambridge to this effect:

Cousin,

‘ An accident, which has happened in my lord Paget's family, having hindered him from setting forward so soon

1714.

‘ as he thought to have done, I cannot defer any longer
 ‘ letting you know my thoughts with respect to the design
 ‘ you have of coming into my kingdoms. As the opening
 ‘ of this matter ought to have been first to me ; so I ex-
 ‘ pected you would not have given ear to it, without
 ‘ knowing my thoughts about it. However, this is what
 ‘ I owe to my own dignity, the friendship I have for you,
 ‘ and the electoral house, to which you belong ; and the
 ‘ true desire I have, that it may succeed to my kingdoms :
 ‘ and this requires of me, that I should tell you, that no-
 ‘ thing can be more dangerous to the tranquility of my
 ‘ dominions, and the right of succession in your line, and
 ‘ consequently more disagreeable to me, than such a pro-
 ‘ ceeding at this juncture.’

I am,

With a great deal of friendship,

Your very affectionate cousin,

ANNE R.

St James's, May 19, 1714.

The lord-treasurer, who began now to be sensible of the ascendant lord Bolingbroke had over him at court, thought it his best way to secure a retreat behind the protestant succession, which the other was undermining with more precipitation than before. For, the queen having never recovered her fit at Christmas, it was thought proper to hasten the measures that were taken to defeat the protestant succession. The treasurer, who was no stranger to these proceedings, though he was not concerned in them, wrote also a letter to the elector of Brunswick :

May it please your royal highness,

‘ Though I expect Mr Harley every moment in return
 ‘ from your court, and thereby shall have another opportu-
 ‘ nity of doing myself the honour to present your royal
 ‘ highness with my most humble duty, and the assurance of
 ‘ my utmost service ; yet I cannot slip this occasion of the
 ‘ queen's messenger attending your royal highness with her
 ‘ majesty's letter, to lay myself at your feet. I have no
 ‘ enemy, that knows me, who is not just enough to allow
 ‘ me, to be inviolably devoted to your succession, nothing
 ‘ coming

coming in competition with that, because I know I please the queen, when I am zealous for the service of your serene house. I hope, therefore, I shall find credit with your royal highness, when I humbly lay my sincere opinion before you. The queen is most heartily for your succession. If there be any thing, which may render it more secure, which is consistent with her majesty's safety, it will be accomplished. It is not the eager desires of some, nor what flows from the advice of others, whose discontents perhaps animate their zeal, can balance the security you have in the queen's friendship, and the dutiful affection of all her faithful subjects; for, as I am sure your royal highness's great wisdom would not chuse to rule by a party, so you will not let their narrow measures be the standard of your government. I doubt not, but the accident, that happened about the writ, may be improved, to increase the most perfect friendship between the queen and your most serene family. I will study to do every thing to demonstrate the profound veneration and respect, wherewith I am, &c.

OXFORD.

There was another letter from the queen to the elector of Brunswick, but written in a style so unbecoming the one and the other, that the persons, to whom these letters were transmitted, did not think fit to give copies of it; but upon a report industriously spread by the pretender's agents, that the duke of Cambridge might have come over, if the elector his father would have let him, but, that the elector did not think the crown of Great-Britain worth accepting: the copies of the other three letters were dispersed in print. This gave so great offence to the ministers, that the publisher, and the person who sent him the letters, were seized by lord Bolingbroke's warrant, and bound over to appear at the queen's-bench.

The princess Sophia, now in the 84th year of her age, was much affected by these letters, and on the 28th of May, the day after the receipt, being seized as she was walking in the gardens at Herenhausen with a fit of the apoplexy, died in the arms of the electoral princess (the late queen Caroline) and the countess of Pickenburg, who were talking with her, before any other person could come to her assistance. This princess was fourth and youngest daughter of Frederick, king of Bohemia, and Elizabeth of England, only daughter of king James the first; and was born

Death of the
princess So-
phia.
May 28.

Her pedigree
and character.

1714. at the Hague, the 3d of October, 1630: so she was eighty-three years, eight months, and five days old at her death. In the year 1658, she was married to Ernest Augustus, duke of Brunswick and Lunenburg, (fourth and youngest son to George duke of Lunenburg-Zell) who, in 1662, succeeded count Francis of Wertenberg, in the bishoprick of Osnaburg: in 1680, on the death of his eldest brother, John Frederick duke of Hanover, Ernest Augustus succeeded him also in that dignity; and, in the year 1692, he received the investiture of the electoral dignity of Brunswick Lunenburg. This prince died on the 23d of January 1698, having had, by the princess Sophia, six sons, George Lewis, Frederick Augustus, Maximilian William, Charles Philip, Christian, and Ernest Augustus, and one daughter, Sophia Dorothy, who in the year 1684, became the second wife of Frederick the first king of Prussia. The princess Sophia had a very strong healthy constitution, and was endowed with great abilities natural and acquired. She was perfect mistress of the Low-Dutch, German, English, French, and Italian languages, and had a genius equally turned for conversation or business, which rendered her not only the ornament and delight of her court, but qualified her to manage and support the highest interests. The greatness of her soul bore a proportion to her birth, and the station which she filled; but with all was tempered with so much sweetness and affability, that the duty of those below her became their pleasure. No one ever gave liberties with a better choice, or could act without reserve to greater advantage. She behaved in both parts to admiration, as a daughter of England, and as a mother of Germany. Her wit was spritely, curious, and surprizing; her judgment solid and penetrating, founded upon the noblest maxims from reading and study, explained by observation and experience. Nothing could exceed the beauties and advantages of her conversation, but her letters; both were easy, entertaining, and useful. She had a fund of happiness within herself which gave a relish to her retirements: but her care in government and œconomy shewed the just sense she had for being born for the good of others. Her piety was exemplary, without affectation; her sentiments of religion just and noble, neither perplexed with doubts, nor enslaved by superstition. The neighbourhood of the jesuits served only to confirm her in the opinion she had of the impostures and corruptions of their church and order. But, though bred up in the reformed religion, ac-

cording

1714.
 cording to the Calvinian discipline, yet she ever had a great esteem for the liturgy and constitution of the church of England. She hated every thing that was sour, malicious, or ill-natured to such a degree, that none could be more sedulous to oppose, or more active to suppress, every little quarrel and party, that grew up, where she had any influence.

Baron Bothmar arrived at London on the 25th of June, with the character of envoy extraordinary from the elector of Hanover, and, in a private audience of the queen, notified the death of the princess Sophia; upon which, an order was made in council for mourning, and for praying for the elector of Brunswick, in the liturgy of the church of England.

In the consultation held by the ministry, after the demand of the duke of Cambridge's writ, wherein it was debated, Whether the queen should invite over that duke? The lord-treasurer, the lord-chancellor, the lord privy-seal, and another privy-counsellor, were for it; but the lord Bolingbroke having opposed it, and carried the negative, resolved to push his point, and to use all possible means to defeat the protestant succession. With that view he is said to have broke all measures with the treasurer, and united himself more closely with the high-church party. As the farther discouragement and even ruin of the dissenters was thought necessary for accomplishing this scheme, it was begun with the famous schism-bill. A motion for it, on the 12th of May, by Sir William Wyndham, was introduced, by reading the 8th, 9th, 10th, and 11th sections of the 'act of uniformity,' passed after the restoration, by which, above two thousand ministers were turned out of their livings. The motion being approved, a bill was ordered to be brought in, 'to prevent the growth of schism, and for the further security of the church of England as by law established (x).' On the other hand, in order to strengthen the The schism bill moved for. Pr. H.C. jacobite

(x) Sir William Wyndham, Mr Cholmondley, Sir John Stonehouse, Sir Arthur Kay, Mr Campion, Mr Gore, Mr Aldworth, Mr Secretary Bromley, lord Downe, Mr Finch, Mr Windsor, Sir William Whitlocke, and Dr Paske, were ordered to prepare and bring in

the bill. Whilst this was doing, it was resolved to address the queen for a copy of the instructions given to the earl of Strafford, with relation to the declarations made by him on the part of her majesty, to the ministers of the several allies who had any troops in her majesty's pay

1714.

A bill, for
resuming the
episcopal re-
venues in
Scotland is
dropped.
May 22.

Debate about
the schism-
bill, which
passed.
Pr. H. C.

jacobite party in Scotland, a motion was made for a bill, to invest the Scots bishops revenues and rents in the queen, to be applied to the support of the episcopal clergy. To render this bill ineffectual, it was proposed by the whigs, that these revenues should be applied to such only of the episcopal clergy, as should pray for the queen and the princess Sophia in express words. As the court-party could not well oppose this addition, and as the resuming of the episcopal revenues (which had been forfeited at the revolution, and given to the ministers of the kirk of Scotland) would have been attended with great difficulties, the bill was suffered to drop. It was, however, resolved to finish the schism-bill. When this bill was engrossed and read the third time in order to be passed, there arose a long and warm debate. Mr Hampden, Mr Robert Walpole, general Stanhope, Mr Lechmere, Sir Joseph Jekyll, and Sir Peter King, exerted their eloquence in opposing it, representing in general, ' That it looked more like a decree of ' Julian the apostate, than a law enacted by a protestant ' parliament, since it tended to raise as great a persecution ' against our protestant brethren, as either the primitive ' christians ever suffered from the heathen emperors, or the ' protestants from popery and the inquisition.' Mr Stanhope shewed, in particular, the ill consequences of this law, as it would of course occasion foreign education; which, on the one hand, would drain the kingdom of great sums of money; and, which was still worse, fill the tender minds of young men with prejudices against their own country. He illustrated and strengthened his argument by the example of the English popish seminaries abroad, which, he said, were so pernicious to Great-Britain, that, instead of making new laws to encourage foreign education, he could wish those already in force against papists were mitigated; and that they should be allowed a certain number of schools. The chief advocates for the bill were Mr Secretary Bromley, Sir William Wyndham, Mr Hungerford, and Mr Collier. Mr Bromely maintained, ' The dissenters were ' equally dangerous to church and state. However, if the ' members, who spoke in their behalf, would have this

pay before the cessation of arms. This address was voted with intention to prepare the way for refusing to pay the arrears of 65,022*l.* 8*s.* 8*d.* due to the

elector of Hanover's troops, which had been lately demanded by the electoral highness's minister.

' bill

‘ bill drop, he would readily consent to it, provided another
 ‘ bill were brought in, to incapacitate them either to set in
 ‘ that house, or to vote in elections of members of parlia-
 ‘ ment.’ Mr Walpole answered this speech with great
 force; after which Mr Hungerford recapitulated, and, in
 his usual ludicrous way, faintly laboured to confute what
 had been offered by the whig-members.

Mr Collier, who brought up the rear, did still worse.
 This man, formerly an attorney, had, by a wife, got the
 directorship of the play-house in Drury-lane; and after-
 wards, by his intruding assurance, the acquaintance and in-
 timacy of the lord Bolingbroke. At whose earnest request,
 Mr Collier, though scarce worth thirty pounds a year, was,
 by the duke of Beaufort’s interest, brought into the house of
 commons, where he took this solemn occasion to singalize
 his zeal for the cause he was to serve. With this intention
 he seconded Mr Hungerford, and, in order to expose the
 dissenters, he desired leave to read to the house a collec-
 tion of absurdities and impious expressions, which he pre-
 tended to have taken from their writings. After reading
 part of this impertinent legend, he fell on a passage extract-
 ed from the nonsensical rhapsodies of the late Mr Hicker-
 inghill, minister at Colchester, wherein Mr Collier said,
 he averred, ‘ That our blessed Saviour was a son of a
 ‘ w----.’ At these shocking expressions, Mr Bromley
 interrupted him, saying, ‘ Such impious words ought not
 ‘ to be repeated in that assembly.’ On the other hand,
 some other members observed, that Mr Hickeringhill was
 not a dissenting teacher, but a minister of the church of
 England: and that he was known to be crack-brained;
 and therefore his extravagancies and blasphemies proved no-
 thing against any set of men, much less against the dissenters.
 Mr Lechmere spoke against the bill with great vehemence;
 and, among other things, took notice, ‘ That the indul-
 ‘ gence granted to protestant dissenters, since the revolution,
 ‘ had been so far from hurting the church, that it had
 ‘ rather enlarged its pale; and it was notorious, that some
 ‘ persons [meaning the treasurer, the chancellor, and the
 ‘ lord Bolingbroke] who had been bred among schismatics,
 ‘ were, or, at least pretended to be, the strongest supports
 ‘ of the established church.’ Several other speeches were
 made for and against the bill; which was carried by a ma-
 jority of two hundred and thirty-seven voices against one
 hundred and twenty-six; and Sir William Wyndham,
 chancellor of the exchequer, who brought it into the house,
 and

1714. and promoted it with all his power, was ordered to carry it to the lords.

* Hist. of
the white-
staff.

The publick were divided in their opinions whether the lord-treasurer was for or against this bill. It is said * that the schism-bill was castrated by him, and that he took out the most malicious and persecuting part, which had been formed by Atterbury, Bolingbroke, and Wyndham. However this be, the lord Harley, his son, Mr Thomas Harley his cousin (lately returned from Hanover) and all his friends, except his brother the auditor, voted for the bill.

When the bill was read the first time in the house of peers, the lord Bolingbroke said, ' It was a bill of the last importance, since it concerned the security of the church of England, the best and firmest support of the monarchy; both which all good men, in particular, that august assembly, who derive their lustre from, and are nearest the throne, ought to have most at heart: and therefore, he moved, that it should be read a second time.' The lord Cowper said, ' No man was more ready than himself to do every thing, that should appear necessary to attain the seeming intention of this bill, the preventing the growth of schism, and the further securing the church of England. But the enacting part would be so far from answering the title of it, that, in his opinion, it would have a quite contrary effect, and prove equally pernicious to church and state.' He spoke on these two heads near half an hour, and, among other things, represented, ' That instead of preventing schism, and enlarging the pale of the church, this bill tended to introduce ignorance, and its inseparable attendants, superstition and irreligion.' To this purpose he took notice, ' That, in many country towns, reading, writing, and grammar-schools were chiefly supported by the dissenters; not only for the instruction and benefit of their own children, but likewise of those of poor churchmen; so that the suppressing of those schools would, in some places, suppress the reading the holy scriptures.' On the other hand, he observed, ' That this bill struck at the antient rights and prerogative of the house of peers; which by the constitution, is the supreme court of judicature, and the dernier resort in all causes; whereas, by this bill, the justices of the peace were empowered finally to hear and determine the offences against the same. My lords, added he, I would rather enlarge, than abridge the power of justices of the peace, were it but to encourage gentlemen to take upon them an of-

fic

‘ fice fo troublesome, and at the fame time fo unprofitable, 1714.
 ‘ unless it be perhaps in the county of Middlefex. But,
 ‘ my lords, I fhall never consent to give up the birth-right
 ‘ and antient privileges of this august affembly, of which
 ‘ I have the honour to be a member.’

The earl of Wharton, in his ironical way, faid, ‘ He was
 ‘ agreeably furprised to fee, that fome men of pleasure
 ‘ were, on a sudden, become fo religious, as to fet up for
 ‘ patrons of the church. But he could not but wonder,
 ‘ that persons who had been educated in dissenting acade-
 ‘ mies, whom he could point at, and whose tutors he could
 ‘ name, fhould appear the moft forward in fuppreffing
 ‘ them. That this was but an indifferent return for the
 ‘ benefit the publick had received from thofe fchools, which
 ‘ had bred thofe great men, who had made fo glorious a
 ‘ peace, and treaties that executed themfelves; who had
 ‘ obtained fo great advantages for our commerce, and who
 ‘ had paid the publick debts, without any further charge to
 ‘ the nation. So that he could fee no reason there was to
 ‘ fuppreff thofe academies, unless it were an apprehenfion,
 ‘ that they might ftill produce greater genius’s, that fhould
 ‘ drown the merits and abilities of thofe great men. My
 ‘ lords, continued he, to be ferious, it is no lefs melancholy
 ‘ than furprizing, that, at a time, when the court of France
 ‘ profecutes the design they have long fince laid to extir-
 ‘ pate our holy religion; when, not only fecret praftices
 ‘ are ufed to impofe a popifh pretender on thefe realms,
 ‘ but men publickly inlifted for his fervice; it is melan-
 ‘ choly and furprizing, I fay, that, at this very time, a bill
 ‘ fhould be brought in, which cannot but tend to divide
 ‘ proteftants; and confequently to weaken their intereft,
 ‘ and haften their ruin. But then the wonder will ceafe, if
 ‘ we confider what madmen were the contrivers and pro-
 ‘ moters of this bill.’ He excepted, in particular, againft
 the word fchifm, with which the frontifpiece of the bill was
 fet off, and faid, ‘ It is fomewhat ftrange, they fhould call
 ‘ fchifm in England what is the eftablifhed religion in Scot-
 ‘ land; and therefore, if the lords, who represented the no-
 ‘ bility of that part of Great-Britain, were for this bill, he
 ‘ hoped, that, in order to be even with us, and confiftent
 ‘ with themfelves, they would move for the bringing in
 ‘ another bill, to prevent the growth of fchifm in their own
 ‘ country.’ He faid alfo, on another occafion (for he fpoke
 more than once) ‘ That both in this bill, and in the fpeeches
 ‘ of thofe, who declared for it, feveral laws were recited
 ‘ and

1714.

‘ and alledged ; but that there was a law, that had not yet
 ‘ been mentioned. I expected, added he, that venerable
 ‘ bench [turning to the bishops] would have put us in mind
 ‘ of it ; but since they are pleased to be silent in this debate,
 ‘ I will myself tell them, that it is the law of the gospel,
 ‘ To do unto others as we would be done unto.’

The earls of Abingdon and Anglesea spoke afterwards
 for the bill ; and Anglesea said, among other things,
 ‘ That the dissenters were equally dangerous both to church
 ‘ and state: that they were irreconcilable enemies to the
 ‘ established church, which they had sufficiently manifested
 ‘ in the late king James the second’s reign, when, in
 ‘ order to obtain a toleration, they joined themselves with
 ‘ the papists; and that they had rendered themselves un-
 ‘ worthy of the indulgence the church of England granted
 ‘ them at the revolution, by endeavouring to engross the
 ‘ education of youth ; for which purpose they had set up
 ‘ schools and academies in most cities and towns in the
 ‘ kingdom, to the great detriment of the universities, and
 ‘ danger of the established church.’

The lord Halifax spoke on the other side, and urged,
 ‘ That the very bringing in of this bill was injurious to
 ‘ the queen ; and he could not believe, her majesty would
 ‘ ever give her royal assent to such a law, after the solemn
 ‘ declaration she had made from the throne, that she would
 ‘ inviolably maintain the toleration, which this bill visibly
 ‘ struck at. That her majesty made it the glory of her
 ‘ reign to follow the steps of queen Elizabeth, who had
 ‘ not only entertained and protected the reformed Wal-
 ‘ loons, who took sanctuary in her dominions from the
 ‘ Spanish inquisition, but had likewise allowed them the
 ‘ publick exercise of their religion, and caused a clause in
 ‘ their favour to be inserted in the act of uniformity. That,
 ‘ by that means, that wise and glorious queen had vastly
 ‘ increased the wealth of the realm, the Walloons having
 ‘ settled here the woollen manufactures, which are the best
 ‘ branch of the national trade. That the protection and
 ‘ encouragement the late king William and queen Mary,
 ‘ and her present majesty, had given to the French refu-
 ‘ gees, had proved no less advantageous to Great-Britain :
 ‘ and therefore it would be a piece of barbarity to make an
 ‘ act, which should debar many French protestants of means
 ‘ of subsisting, either by keeping publick schools, or teaching
 ‘ in private families ; especially considering their late hard
 ‘ usage, the government not having, for above three years
 ‘ past,

‘past, paid them any part of the fifteen thousand pounds per ann. allowed by parliament in the civil list, towards the maintenance of their ministers and poor.’ He concluded with taking notice ‘of the fatal consequences of persecuting the dissenters in king Charles the First’s reign, which kindled a furious and unnatural civil war, and ended in the total overthrow of Church and state, and in the king’s parricide.’

The lord Townsend spoke on the same side, and, among other arguments, represented the ill effects of persecution in general. He said, ‘He had lived a long time in Holland, and had observed, that the wealth and strength of that great and powerful commonwealth lay in the number of its inhabitants: and at the same time he was persuaded, that, if the States should cause the schools of any one sect, tolerated in the united provinces, to be shut up, they would soon be as thin of people as Sweden or Spain, whereas they now swarm with inhabitants.’

The lord North and Grey, who spoke for the bill, maintained the general assertion of his party, ‘That the church was in danger from the growth of schismatics.’ The earl of Nottingham said, ‘He owned he had formerly been of opinion, that the occasional conformity of dissenters was dangerous to the established church; and therefore he ever promoted the bill to prevent it. But that, the church having now that security, he believed her safe and out of danger; and therefore he thought himself in conscience obliged to oppose so barbarous a law as this, which tended to deprive parents of the natural right of educating their own children. He added, He had observed both from history and his own experience, that all the persecutions, that had been raised in England against schismatics, originally proceeded from, and tended to favouring popery.’ He particularly excepted against that part of the bill, which enacts, ‘That any person, who should keep any publick or private school, or instruct any youth as tutor, should have a licence of the respective archbishop or bishop of the place, &c. My lords, said he, I have many children; and I know not whether God almighty will vouchsafe to let me live, to give them the education I could wish they had. Therefore, my lords, I own, I tremble, when I think, that a certain divine, who is hardly suspected of being a christian [meaning Dr Swift] is in a fair way of being a bishop; and may one day give licences to those, who shall be intrusted with the instruction

1714.

‘tion of youth.’ Some other lords made speeches for and against the bill. But the lord treasurer contented himself with saying, ‘That he had not yet considered of it; but, when he had, he would vote according as it should appear to him, to be either for the good or detriment of his country. And therefore he was for reading the bill a second time;’ which was agreed to without dividing, and put off to the 7th of June.

After this, the presbyterians petitioned that they might be heard by their counsel against the bill; but their petition was rejected by a majority of seventy-two voices against sixty-six. It was observed on this occasion, earl Powlet, the lord Foley, the lord Mansel, and some other friends of the lord-treasurer, voted with the whig lords, for allowing the petition; and the lord-treasurer himself was out of the house, that he might not be obliged to declare on either side; which strengthened their opinion who thought the bill levelled against him, with a view, that if he voted for it, he would lose the dissenters and the whigs entirely; if he voted against it, he would lose the queen.

On the day appointed, the lords read the schism bill a second time, and after a short debate, agreed, that a clause should be inserted in the bill in favour of the French protestant churches. Two days after, in a committee of the whole house, of which the archbishop of York was chairman, the bill was examined paragraph by paragraph, from one in the afternoon till eight in the evening. The bishop of London having suggested, ‘That the dissenters had made this bill necessary, by their endeavours to propagate their schism, and to draw the children of churchmen to their schools and academies;’ the lord Halifax answered, ‘That what they did was with the knowledge and consent of the parents, who, in many places, had not sufficient means to educate their own children:’ for which reason he moved, ‘That, since this bill was occasioned, as was suggested, by the dissenters endeavouring to engross the education of the youth of both persuasions, they might be allowed schools to instruct their own children.’ This motion, being formed into a question, was debated near three hours. The lords Cowper and Halifax, the earl of Sunderland, and some other peers, made several speeches for the affirmative. But the lord Bolingbroke, the earl of Abingdon, and the lord chancellor, insisted on the negative, which was at last carried by sixty-two votes against forty-eight. After this it was moved, that dissenters might,

at

1714.

at least, be suffered to have school-mistresses to teach their children to read, which, after a debate of about half an hour, was carried without dividing; as was also a clause, 'That this act should not extend to any person, who should instruct youth in reading, writing, arithmetick, or any part of mathematical learning, that relates to navigation, or any mechanical art only.' Then was examined that part of the bill, whereby the conviction of offenders against this act was left to the justices of the peace; and, after a warm debate, it was carried by a majority of fifty-nine votes against fifty-four, that the conviction should be in the ordinary course of justice, 'upon an information, presentment, or indictment, in any of her majesty's courts of record at Westminster, or at the assizes, or before justices of Oyer and Terminer.' The court-party, finding, by this last division, that they lost considerable ground, and fearing, other amendments would be made, which would render the bill altogether useless, moved, that the chairmen leave the chair, in order to adjourn. But though the contrary party at first opposed it, yet, after some debate, upon the penalties to be inflicted on the offenders, both parties being equally tired, the house adjourned to the next day.

Accordingly, on the 10th of June, the lords resumed the debate about the penalties, and fixed the same to three months imprisonment; after which it was moved and agreed, That persons aggrieved might 'appeal from ecclesiastical censures, as in cases of ordinary jurisdiction.' A clause was afterwards proposed and carried to exempt from the penalties of this act any tutor, who shall be employed by any nobleman or noblewoman, to teach in their families, provided such tutor do, in every respect, qualify himself according to this act, except only in that of taking a licence from the bishop. The earl of Anglesea moved, that a clause might be inserted, to extend this act to Ireland: which after some debate, was carried in the affirmative by the majority of one voice only. When the bill with these amendments was reported to the house by the archbishop of York, several speeches were made against the clause to extend this bill to Ireland: particularly by the duke of Shrewsbury, lord-lieutenant of that kingdom, who was just returned from thence. But the question being put, it was carried by fifty-seven voices against fifty-one, that the clause should stand. The next day the bill was read the third time; and after a small

Vol. VI. O debate,

1714. debate, it was carried by seventy-seven votes against seventy-two, that it should pass (y).

When the bill thus amended was sent to the commons, a short debate arose. Mr Lechmere and Mr Walpole represented,

(y) The following peers entered a protest against it, the dukes of Somerset, Bolton, Grafton, Devonshire, Schomberg, and Argyle; the marquis of Dorchester; the earls of Whar-ton, Sunderland, Dorset, Carlisle, Orford, Derby, Lincoln, Nottingham, Radnor, and Torrington; the lords viscounts Townshend and Longueville: the lords Sommers, Hallifax, Cowper, Rockingham, Haver-sham, Cornwallis, and Foley: and the bishops of Ely, Bangor, St Asaph, Landaff, and Lincoln.

The Protest was in these terms:

I. We cannot apprehend (as the bill recites) that great danger may ensue from the dissenters to the church and state:

Because, 1. By law no dissenter is capable of any station, which can be supposed to render him dangerous.

2. And, since the several sects of dissenters differ from each other as much as they do from the established church, they can never form of themselves a national church; nor have they any temptation to set up any one sect among them; for in that case, all that the other sects can expect, is only a toleration, which they already enjoy by the indulgence of the state; and therefore it is their interest to support the established church

against any other sect, that would attempt to destroy it.

II. If, nevertheless the dissenters were dangerous, severity is not so proper and effectual a method to reduce them to the church, as a charitable indulgence, as is manifest by experience, there having been more dissenters reconciled to the church since the act of toleration, than in all the time since the act of uniformity, to the time of the said act of toleration; and there is scarce one considerable family in England in communion with the dissenters. Severity may make them hypocrites, but not converts.

III. If severity could be supposed ever to be of use, yet this is not a proper time for it, while we are threatened with much greater dangers to our church and nation, against which the protestant dissenters have joined, and are still willing to join with us in our defence; and therefore we should not drive them from us, by enforcing the laws against them in a manner, which, of all others, must most sensibly grieve them viz. the education of their children; which reduces them to a necessity either of breeding them in a way they do not approve, or of leaving them without instruction.

IV. This must be the more grievous to the dissenters, because

sented, ' That, since the protestant dissenters of Ireland
' were made liable to the penalties of this bill, it were but
' just either to insert a clause in it, or to bring in another
' bill, to make them enjoy the benefit of the toleration act,
' passed

1714.

' cause it was little expected
' from the members of the esta-
' blished church, after so favour-
' able an indulgence, as the act
' of toleration, and the repeat-
' ed declarations and professions
' from the throne and former
' parliaments, against all perse-
' cution, which is the peculiar
' badge of the Roman church,
' which avows and practices this
' doctrine : and yet this had not
' been retaliated even upon
' the papists, for all the laws
' made against them have been
' the effects and just punishment
' of treason, and from time to
' time committed against the
' state. But it is not pretend-
' ed, that this bill is designed as
' a punishment of any crime,
' which the protestant dissenters
' have been guilty of against the
' civil government, or that they
' are disaffected to the prote-
' stant succession, as by law
' established ; for in this their
' zeal is very conspicuous.

' V. In all the instances of
' making laws, or of a rigid ex-
' ecution of the laws against
' dissenters, it is very remark-
' able, that the design was to
' weaken the church, and to
' drive them into one common
' interest with the papists, and
' to join them in measures tend-
' ing to the destruction of it.
' This was the method suggest-
' ed by popish counsels, to pre-
' pare them for the two succes-
' sive declarations in the time of
' king Charles II. and the fol-

' lowing one issued out by king
' James II. to ruin all our ci-
' vil and religious rights. And
' we cannot think, that the arts
' and contrivances of the pa-
' pists, to subvert our church,
' are proper means to preserve
' it, especially at a time, when
' we are in more danger of po-
' pery than ever, by the de-
' signs of the pretender, sup-
' ported by the mighty power
' of the French king, who is en-
' gaged to extirpate our religi-
' on, and by great numbers in
' this kingdom, who are pro-
' fessedly in his interests.

' VI. But if the dissenters
' should not be provoked, by
' this severity, to concur in the
' destruction of their country
' and the protestant religion,
' yet we may justly fear they
' may be driven by this bill
' from England, to the great
' prejudice of our manufac-
' tures ; for, as we gained them
' by the persecution abroad, so
' we may lose them by the
' like proceedings at home.

' Lastly, The miseries, we
' apprehend here, are greatly
' enhanced by extending the
' bill to Ireland, where the
' consequences of it may be fa-
' tal ; for since the number of
' papists in that kingdom far
' exceeds the protestants of all
' dominions together ; and
' that the dissenters are to be
' treated as enemies, or, at least
' as persons dangerous to that
' church and state, who have
O 2 ' always,

1714. 'passed in England in the last reign.' But Sir William Wyndham and Mr Campion said, 'If leave were given to bring in such a bill, they hoped they should have leave also to bring in another to incapacitate dissenters from voting in elections for parliament-men;' Upon which that matter dropped. On the other hand, general Stanhope proposed, 'That the tutors in the families of members of the house of commons might be put on the same foot with those, who taught in the families of a nobleman or noblewoman; it being reasonable to suppose, that the members of that house, many of whom were of noble extraction, had as great a concern as the lords for the education of their children, and an equal right to take care of their instruction.' Several members of both parties were of Mr Stanhope's opinion. But Mr Hungerford representing, 'That the least amendment now made in the house might occasion the loss of the bill;' the promoters of it caused the question to be put, and it was carried by a majority of one hundred and sixty-eight votes against ninety-eight, that the commons agreed to the lords amendments. On the 25th of June, the schism-bill, with several others, received the royal assent by commission. But it is observable, the very day it was to take place*, the queen departed this life; which accident broke all the measures of those, who had promoted that law, and rendered it in a manner ineffectual (z).

* Aug. 1.

On

'always, in all times, joined, and still would join, with the members of that church, against the common enemy of their religion, and since the army there is very much reduced, the protestants, thus unnecessarily divided, seems to us to be exposed to the danger of another massacre, and the protestant religion in danger of being extirpated.

'And we may further fear, that the Scots in Britain, whose national church is presbyterian, will not so heartily and zealously join with us in our defence, when they see those of the same

'nation, same blood, and same religion, so hardly treated by us.

'And this will be still more grievous to the protestant dissenters in Ireland, because, whilst the popish priests are registered, and so indulged by law, as that they exercise their religion without molestation, the dissenters are so far from enjoying the like toleration, that the laws by this bill are enforced against them.'

(z) This act enjoins, That no person in Great-Britain, or Wales, shall keep any publick or private school, or seminary, or

teach

1714.

The queen
again indis-
posed.

On the 5th of May the queen removed from St James's to her palace at Kensington, in appearance pretty well in health; but, having the next day in the evening felt a shivering, her physicians thought fit, that she should immediately come back to St James's, where she was, for some time, detained in her chamber by an imposthumation in one of her legs. The duke of Shrewsbury, having (as has been said) early notice of the dangerous condition the queen was in, was very desirous to be in England; though, on the other hand, he was unwilling to leave the government of Ireland in their hands, whom he knew inclined to favour the pretender's agents; who still continued insisting men for his service (a). But, all things considered, he judged

to teach or instruct youth, as tutor or schoolmaster, that has not first superscribed the declaration to conform to the church of England, and has obtained licence from the respective diocesan, or ordinary of the place, or upon failure of so doing, may be committed to prison, without bail or mainprize. And that no such licence shall be granted, before the party produces a certificate, of his having received the sacrament, according to the communion of the church of England, in some parish church, within a year before obtaining such licence, and hath superscribed the oaths of allegiance and supremacy.

That if any person, having complied with these points, shall knowingly or willingly resort to any conventicle, or be present in any assembly, where the queen is not prayed for, should be liable to the penalty of this act, and from thenceforth be incapable to keep any school, or seminary, or instruct any youth, as tutor or schoolmaster. And if any person teaches any other catechism, than what is set forth in the common-prayer, his li-

cence shall be thenceforth void, and he be liable to the penalties of the act; but no person to be punished twice for the same fact. Any person convicted by this act, conforming to the church for one year, without having been present at any conventicle, shall be again capacitated. This act to be construed to extend to Ireland.

(a) On the 14th of May, information being brought to the duke of Shrewsbury, that about one hundred and fifty men, listed for the pretender's service, were at the hill of Hoath, near Dublin, waiting to go on ship-board for France, some constables, with a file of musqueteers, were sent thither, who took twenty-four of them, and brought them to Dublin, where they were committed to prison, in order to be tried for high-treason. On the 26th of June, John Reily, Alexander Bourk, and Martin Carrol, were executed for it at Stephen's green; and, about the beginning of July, twenty-one persons more were tried and condemned for the same crime.

1714.

his presence more necessary at London than in Dublin, and came over about the beginning of June. Finding those about the queen jarring and disjointed, he resolved to act a cautious part, and not side with either of the contending parties; but, as soon as a proper occasion (which he judged could not be far off) offered itself, to put himself at the head of the well-affected to the protestant succession, who indeed were no less strengthened by his arrival at this critical juncture, than the lord Bolingbroke's interest was weakened by the death of the duke of Beaufort, which happened some days before.

May 24.

Towards the end of May, the marquis de Trivié, ambassador from the new king of Sicily, made his publick entry; but it was the 8th of June, before the queen was in a condition to admit him to a publick audience. Two days after the queen, finding herself something better, removed from St James's to Kensington.

Proclamation for apprehending the pretender.

June 23.

About this time, upon information given to the earl of Wharton, that two Irish Officers, Hugh and William Kelly, were lifting men for the pretender in London and Westminster, he carried his evidence to chief-justice Parker, upon whose warrant William Kelly was seized at Gravesend, with five men inlisted, as Hugh Kelly was a few days after at Deal, with a pass from the earl of Middleton, secretary of state to the pretender. This affair having made a great noise, the ministers could not avoid taking notice of those treasonable practices; and a proclamation was published 'for apprehending the pretender, whenever he should land, or attempt to land in Great-Britain,' and promising a reward of five thousand pounds for that service. The next day Mr. Freeman having moved in the house of commons for an address of thanks for the proclamation, he was seconded by Mr Auditor Harley, and supported by the earl of Hertford, who added, 'That the five thousand pounds mentioned in the queen's proclamation was too small a recompence for so important a service;' and therefore moved for an addition to the address, 'That this house would chearfully aid and assist her majesty, by granting the sum of an hundred thousand pounds, as a further reward to any, who should perform so great a service to her majesty and her kingdoms.' This was opposed by Mr Bromley, Sir William Windham, and Mr Campion, who suggested, 'That the promising of a reward so far beyond what was mentioned in the queen's proclamation, would be a sort

The common vote an address of thanks.

Pr. H. C.

of

of reflection on her majesty.' But, this objection being exploded, the address was unanimously carried, and, four days after, presented by the whole house to the queen, who told them, 'That the hearty concern they shewed in it for the protestant succession, was very agreeable to her: and that she hoped, their concurrence would have the desired effect in removing jealousies, and quieting the minds of her good subjects.'

1714.

June 24.

The queen's answer.

The same day, the earl of Nottingham moved in the house of lords for an address of thanks for the proclamation against the pretender, and was seconded by the lord Hallifax. The earl of Wharton, who likewise supported the motion, holding the queen's proclamation in his hand, most pathetically lamented her majesty's owning, that her endeavours to remove the pretender from Lorrain had been ineffectual. 'Unhappy princess, (said he) how much is her condition altered! Will posterity believe, that so great a queen, who had reduced the exorbitant power of France, given a king to Spain, and whose very ministers have made the emperor and the States-general to tremble, should yet want power to make so petty, so inconsiderable a prince as the duke of Lorrain, comply with her just request, of removing out of his dominions the pretender to her crown?' None of the peers speaking against the earl of Nottingham's motion, it was unanimously carried, and the address was, the next day, presented to the queen, who told them, 'They might be assured, she should continue to do whatever she judged necessary for the securing our religion, the liberty of her people, and for putting an end to the vain hopes of the pretender.'

Proceedings of the lords against the pretender. Pr. H. L.

The lord Bolingbroke, being come into the house of peers, just after the address was voted, appeared a little surprized at that resolution, and said, 'There was a more effectual way to secure the succession in the house of Hanover.' Some members expressing their desire, that he would offer it to the house, he proposed a bill, to make it high-treason to list or to be enlisted into the pretender's service. The lord Hallifax represented, 'That such a bill was altogether needless, both the pretender, and all his adherents, being already attainted of high-treason. However, he should be glad such a bill were brought in, because, with some alterations, it might be made a very good one.' The bill was accordingly brought in, and in a committee of the whole house, of which the lord

Debates about a bill to prevent lifting soldiers for the pretender.

1714.

Bolingbroke was chairman, the lords Hallifax, Townshend, Cowper, Sommers, and Wharton, made it their business to shew, 'That the pretender was inconsiderable of himself, and not to be feared, but so far forth, as he was countenanced and protected by the French king, whose interest and constant design was to impose him upon these realms.' And therefore they moved, and it was agreed, That the title of the bill should be, 'To prevent the lifting her majesty's subjects to serve as soldiers, without her majesty's license;' and that it should be 'high-treason to lift, or be lifted, to serve any foreign prince, state, or potentate, without a license under the sign manual of her majesty, her heirs or successors.' The following proviso was likewise agreed to, 'That no license should be effectual to exempt any person from the penalties of this act, who should lift, or cause to be lifted into the service of the French king, until after the French king should have disbanded and dismissed all the regiments, troops, or companies of soldiers, which he had in his service, consisting of the natural-born subjects of Great-Britain:' this act to continue in force for three years. With these amendments, the bill was sent to the commons, who gave it their concurrence.

Meeting of
the pretender's friends.
June 24.

This, and other provisions against the pretender, seemed the more necessary, because his friends were by this time grown to that height of assurance, as publickly to assert his right, and drink his health. To this purpose, above an hundred Irish papists had a feast at the Sun-tavern in the Strand, where the lord Fingal was chosen Steward, and all that came were admitted by a printed ticket, in which was the image of a pope, or popish saint, treading heresy under-foot.

Debate about the
Spanish
trade.
Pr. H. L.

On the second of July the lords took into consideration the trade to Spain and the West-Indies; and the earl of Nottingham made it plainly appear, that by reason of the discouragements, to which that trade was subjected by the explanations of the third, fifth, and eighth articles of the treaty of commerce between Great-Britain and Spain (which explanations were made at Madrid, after signing the treaty at Utrecht) it was impossible for our merchants to carry on that trade without certain loss. This was confirmed by the testimony of Sir William Hodges, and about thirty more eminent merchants, who, being called into the house, unanimously averred, that, unless the explanations of these three articles were rescinded, they could not carry on their

their commerce without losing twenty or twenty-five per cent. It was observed, the treasurer joined with the lords, who insisted on the hearing of the Spanish merchants; which was strenuously opposed by the lord Bolingbroke. But, after a long debate, it was resolved to address the queen, for 'all the papers relating to the negotiation of the treaty of commerce with Spain; with the names of the persons, who advised her majesty to that treaty.' The queen sent an answer, 'That, being given to understand, that the three explanatory articles of the treaty of commerce with Spain were not detrimental to the trade of her subjects, she had consented to their being ratified with the treaty.' The queen making no mention of the persons, who had advised her to ratify those explanatory articles (which was the chief design of the address) several members excepted against the answer as unsatisfactory. And, among the rest, the earl of Wharton and the lord Hallifax represented, 'That, if so little regard was shewn to the addresses and applications of that august assembly to the sovereign, they had no business in that house;' and moved, that a representation be made to her majesty, to lay before her the insuperable difficulties, that attended the Spanish trade on the foot of the late treaty: which was agreed to: It was also moved, that the house should insist on her majesty's naming the persons, who advised her to ratify the three explanatory articles. But the courties warded off that blow, which was chiefly levelled at the lord Bolingbroke, and his agent Arthur Moore. The next day the lords proceeded to the consideration of the Spanish trade, and to the examination of the commissioners of trade and plantations. The earl of Wharton said ironically, 'He did not doubt but one of those gentlemen could make it appear, that the treaty of commerce with Spain was very advantageous:' which was meant of Arthur Moore, who had the chief management of that affair, and who contradicted himself in his answers to several questions, asked him by the lord Cowper about the three explanatory articles. This was aggravated by the confession of the other commissioners, particularly of Mr Robert Monkton, who declared, Mr Moore only read cursorily to them the articles, without giving them time to examine the same. Besides which Mr Popple, their secretary, deposed, that Mr Moore had shewn him a letter in French from monsieur Orry, directed to don Arturio Moro, importing in substance, 'That he must not expect the two thousand louis d'ors

1714. ' d'ors per annum, that had been promised him unless he got the three explanatory articles ratified.' Though the lords came to no resolution about that affair, at a general court of the south-sea company, upon a full hearing of a complaint of captain Johnson, it was resolved, ' that Arthur Moore, while a director of this company, was privy to, and encouraged a design of carrying on a clandestine trade, to the prejudice of this corporation, contrary to his oath, and in breach of the trust reposed in him; and that, for such his breach of trust, he be declared incapable of being a director of, or having any other employment in this company.' This censure made a great noise, and was highly resented by the lord Bolingbroke.

On the 8th of July the lords examined Mr Lowndes, secretary to the treasury, and Mr Taylor, first clerk, concerning the Assiento contract. They confessed, that they were only nominal assignees for the quarter part of the Assiento contract reserved for the queen, and that some persons, to them unknown (but who were strongly suspected to be the lord Bolingbroke, the lady Masham, and Mr Arthur Moore) were to have the benefit of it. The lord Cowper having represented, ' That the uncertainty and suspense, in which the south-sea company had a long time been kept, whether her majesty would retain to herself, or give to the company, the quarter part of the Assiento contract reserved to her, had been the principal obstruction to the company's carrying on that trade:' the earl of Wharton moved for an address to the queen, ' To give to the south-sea company, not only that quarter part of the Assiento contract, but also the seven and a half per cent. granted to Manasses Gilligan, and any other profits arising from that contract.' But, the question being put, it was carried in the negative by fifty voices against forty-three. After this, on the earl of Anglesea's motion, it was resolved by fifty-six votes against forty, to present an address, to return thanks for her majesty's having so generously given, not only licenses for two ships of five hundred tons each, and the Assiento contract; but also the quarter part, which she was pleased at first to reserve to herself; and that she would be pleased, that such other advantages, which were, or might be, vested in her, might be disposed of for the use of the publick. This day's debate took up the lords till nine o'clock in the evening; so they had no time, as some whig lords designed it, to proceed to the censure of Mr Moore.

The

The next day, the queen's answer to their address was reported: 'That she always had a great consideration for the advice of the house: and, as to the particulars desired, she would dispose of them, as she should judge best for the service.' The latter part of this answer was very ill relished by the whig lords; and some members took occasion to complain of the queen's silence in relation to the persons, who advised her to ratify the three explanatory articles. But, the lottery-bill being ready for the royal assent, the queen came that very day to the house of peers, and put an end to the session with the following speech to both houses:

1714.

The parliament is prorogued.
July 9.

My lords and gentlemen,

"THE progress which has been made in publick business, and the season of the year, render it both convenient and necessary, that I should put an end to this session.

The queen's speech.

Gentlemen of the house of commons,

"I return you my hearty thanks for all your good services to me and to your country, and particularly for the supplies you have given me, as well to defray the expences of the current year, as towards the discharge of the national debts. In our present circumstances, it could not be expected, that a full provision should be made on both these heads. What you have granted shall be laid out with the best husbandry, and to the greatest advantage.

My lords and gentlemen,

"I hope early in the winter to meet you again, and to find you in such a temper, as is necessary for the real improvement of our commerce, and of all the other advantages of peace. My chief concern is to preserve to you, and to your posterity, our holy religion, and the liberty of my subjects, and to secure the present and future tranquillity of my kingdoms. But I must tell you plainly, that these desirable ends can never be attained, unless you bring the same dispositions on your parts; unless all groundless jealousies, which create and foment divisions amongst you, be laid aside; and

" unless

1714.

“ unless you shew the same regard for my just prerogative,
 “ and for the honour of my government, as I have always
 “ expressed for the rights of my people.”

When the queen had ended her speech, the parliament was prorogued to the 10th of August, but she died before that day came.

Open rupture among
 the ministers.

Presently after the rising of the parliament, the discord among the ministers came to an open rupture. The treasurer, ever since he had received the staff, had kept to himself the principal direction of domestick affairs, and the disposal of most places of profit; and, by the credit and interest of his post, and favour with the queen, had procured advantageous alliances for his children, brought great riches into his family, and advanced all his relations (b), whilst the conduct of foreign affairs lay on the lord Bolingbroke, who, as he was less circumspect in the prosecution of bold measures than the treasurer, had therefore the largest share of the publick odium, without any other advantage than the profits of his office, most of which he lavished away in riotous pleasures. Being a man impatient of dependance, he had frequent warm expostulations with the treasurer, who, thinking himself secure in the queen's favour, and in his interest with the parliament, disregarded his complaints, by which the secretary was still more enraged. Their private disputes would often have ended in an open quarrel, had not the queen, assisted by the chancellor and lady Masham, as often reconciled them, or rather, had not their confederacy in the late measures, made them suspend their mutual hatred to consult their common safety. But, as soon as the danger was over, by the parliament's solemn approbation of the peace, it appeared, there was an irreconcilable rivalry and enmity between them. Before this last struggle, the treasurer, either finding his interest declining at court, or despairing of the queen's life, and apprehending the consequences of the late steps, bethought himself of a timely retreat;

(b) His son, Edward lord Harley, married the only daughter of the late duke of Newcastle; who brought him a fortune of above 15000l. per ann. Elizabeth, his first daughter, was married to Peregrine Hyde

Osborne, marquis of Caermarthen, son and heir to the duke of Leeds: and Abigail, his second daughter, was married to George Baron Hay, viscount Duplin, son and heir to Thomas earl of Kinnoul, a Scotch peer.

and,

and, to that end, endeavoured to reconcile himself to the whigs. He tried to gain the friendship of the lord Cowper, who had the greatest weight amongst them; and, with that view, procured him to be chosen umpire between his son, the lord Harley, and the lord Pelham, in a controversy about the inheritance of the late duke of Newcastle. But the lord Cowper contented himself with arbitrating the matter according to the strictest rules of equity, and with doing justice to the son, without espousing the interest of the father. On the other hand, the treasurer expected to be strongly supported by the duke of Shrewsbury, who had maintained himself in the esteem both of the sovereign and of the publick, and whose late behaviour in Ireland had endeared him to the well-affected to the Hanover succession. But the duke, justly resenting the neglect of the ministers, while he was at Dublin, was very much unconcerned about them, when he came to London, and rather inflamed than moderated their differences, by complaining to the queen of some orders, that had been sent him, which he thought inconsistent with her majesty's and the nation's service. Notwithstanding these disappointments, the treasurer formed a design of removing his competitor, as the best means to approve his affection to the protestant succession, and therefore set Mr Robert Monkton against Mr Arthur Moore (the lord Bolingbroke's creature) who narrowly escaped a censure in the house of peers, in which the treasurer hoped the secretary might have been involved. But, in this very instance, the treasurer found he had lost considerable ground at court, the queen having thought fit, at the lord Bolingbroke's desire, to put a sudden stop to that inquiry. And it appeared soon after, that, by his superior interest with lady Masham, by the assistance of the lord chancellor, by his humouring the queen's natural inclination, and boldly pursuing the measures she had entered upon, the secretary entirely ruined his rival in her favour and confidence.

The treasurer, in this situation of his affairs, wrote a letter to the queen, and with it sent her an account of publick June. affairs from August the 8th, 1710, to June the 8th, 1714; in which he endeavours to justify his own conduct, and expose the uneasy, turbulent, and ambitious spirit of lord Bolingbroke. But this had not the intended effect upon the queen.

While the court was in this ferment, something happened, which hastened the treasurer's disgrace. Some pretend,

1714. tend, the lord Bolingbroke had intelligence, and informed the queen of the treasurer's inviting the duke of Marlborough to come over (for which purpose the duke was indeed arrived at Ostend*) and of his private conferences with several whig lords: others, that he was suspected of discovering the queen's counsels to the court of Hanover, and even of putting them upon demanding a writ for the duke of Cambridge: others again, that he was both against the scheme of new-modelling the army, and the project of a new offensive and defensive league between Great-Britain, France, Spain, Sweden, and Sicily: and others, still, that the queen was extremely angry at his presuming to send orders to Ireland without consulting with her or the council; and that the duke of Shrewsbury insisted on his removal, which the duke of Marlborough had made a previous condition of his return to England. But a certain author* (who writ in his vindication) plainly asserts, that his disgrace was intirely owing to his attachment to the house of Hanover, whose succession his enemies were resolved to prevent (c). However this be, on the 20th of July the chancellor (who had retired into the country for a few days) was sent for in haste; and the next day was in close conference with the queen and the lord Bolingbroke; after which it was generally reported, the treasurer would be speedily removed. It was said at the same time, that, to soften his fall, the queen designed to bestow on him an annual pension of five thousand pounds for life, with the title of duke of Newcastle; and, upon his recommendation, to give the title of earl of Clare to the lord Pelham. But, contrary to his own, and indeed the general expectation, when he came to court on the 27th of July, the staff was taken from him, rather with mortifying than agreeable circumstances. It is certain, that severe reproaches passed, in the queen's hearing, between the falling minister, and the lord chancellor, and the lady Masham, whom the treasurer

* Hist. of
the White-
staff.

The lord-
treasurer
Harley re-
moved.

(c) The treasurer's enemies (says that author) thought they could not hurt him any way more with the queen, than by representing him as inviolably attached to the protestant succession. 'The party (says he) took hold of this article, as if they had a great advantage given them against the White-staff, intimating, that it was a great affront to her, and an apparent carrying on his own game at the court of Hanover; accordingly, her majesty was prejudiced by it, as if it had been a dishonour to her.' White-staff, p. 34.

had

1714.

had disoblighd some days before, by making a dumur to a grant she had obtained of fifteen hundred pounds a year, and whom he looked upon as accessary to his disgrace. He told them, 'He had been wronged and abused by lyes and misrepresentations; but he should be revenged, and leave some people as low as he found them (d.)' These expostulations could not but shock the sick queen, and give her uneasy suspensions of her being abused and deluded by one or two, if not by all three, of her principal ministers. It is pretended, that in this agitation of thought, which opened her eyes, she resolved to resign herself wholly to the conduct of the duke of Shrewsbury. But it can hardly be supposed, that, in her condition, she was capable of forming a resolution so inconsistent with her late measures. It is far more reasonable to imagine that the lord Bolingbroke, having gained so great an ascendant over her, was most likely to succeed the earl of Oxford in the management of affairs. This is certain, the very day, the treasurer was removed, the lord Bolingbroke entertained at dinner the generals Stanhope, Cadogan, and Palmes, Sir William Wyndham, Mr Craggs, and some other gentlemen; which meeting of men of such opposite principals occasioned various speculations. The most probable conjecture was, that the lord Bolingbroke, considering he could not depend on the queen's precarious life to accomplish his designs, and foreseeing a storm, he could not be able to weather, resolved to strike in with the whigs, and to invite over the duke of Marlborough; in which he had reason to expect better success than his late rival, with whom the duke had vowed never to be reconciled. Some other particulars were at that time mentioned to corroborate these suggestions. But though the duke of Marlborough, after having being detained about a fortnight by contrary winds, did, at

(d) 'He exposed (says the author of the White staff) their new schemes, ridiculed their impolitick measures, and foretold them to what distresses they would reduce themselves in a little time, putting them in mind of a debt they would owe to the national justice at last, and how unwilling they would be to pay it. He prophetically told them, they

'would be in a little while reduced to the primitive meanness and contempt in which he found them! That he had too long borne the reproaches which was due to their measures, which he had in vain persuaded them against, and that it was time now that the world should see, who were the enemies to the British establishment.'

this

1714.

this very time, imbarck at Ostend for England; yet the true motive of his coming at this critical juncture is not certainly known. It appeared plainly, however, soon after, that, whatever were the lord Bolingbroke's thoughts and views at this time, the main design of the whigs was to inflame the animosity between him and the earl of Oxford as the readiest way to ruin them both.

Great confusion at court.

The treasurer's removal was so sudden, and occasioned such confusion, that no scheme was either formed or agreed on, to supply his place, and to fill up such other vacancies, as must naturally attend his disgrace. A cabinet-council, or rather chamber-consultation, was indeed held in a hurry, the very night the earl of Oxford was removed, and several persons were proposed to manage the treasury, which was designed to be put in commission. Their number was to be five, of which Sir William Wyndham, as chancellor of the Exchequer, was to be one; but the choice of the other four perplexed both the queen and her counsellors. It is said, the persons named were the lords Bolingbroke, Paget, Lexington, Bathurst, and Masham; the bishop of London, Mr Henry Boyle, and Mr Bridges; Sir John Packington, Mr Campion, Mr Hill, and some others. But, whether there were fewer or more in nomination, it is certain, no resolution was taken as to the choice of any four, either in that first consultation, or in the council held the next morning; several persons who had been proposed, and spoken to, having declined to accept a precarious employment in such a juncture. On the 29th of July, the cabinet-council was to have sat on the same affair; but their meeting was deferred to the next day, by reason of the queen's indisposition, which, she was sensible, was occasioned by the late quarrelling among her servants, having intimated to one of her physicians, "That she should not outlive it."

Account of the queen's sickness.

It is certain, both the dispute, to which she was an ear-witness, and the consultation upon it, which lasted till near two o'clock in the morning, occasioned such a violent agitation of the queen's spirits, as could not but hinder, according to Dr Shadwell's opinion, the usual discharge of the imposthumation in her leg, so that the gouty humour, translating itself upon the brain, was the immediate occasion of her death. On Thursday morning*, the queen finding herself indisposed with a dozing heaviness, and a shooting pain in her head, the physicians judged proper she should be cupped, which she liked better than bleeding,

* July 29.

bleeding, and which, in the same symptoms, had often given her ease. The queen was now something relieved by it; went to bed at the usual hour; rested pretty well till three o'clock on Friday morning, when she waked; and finding something heavy on her stomach, and reaching to vomit, she brought up some matter, and then composed herself to sleep. Towards seven o'clock she waked again; and, finding herself pretty well, rose from bed, and got her head combed. This done, towards eight, she went to look on the clock; and Mrs Danvers, one of her bed-chamber women, taking notice, that she fixed her eyes a long time upon it, asked her, 'What she saw in the clock more than ordinary?' The queen answered her only with turning her head, and a dying look; at which Mrs Danvers being frightened, she called for help. The physicians judging she was seized with a fit of an apoplexy, caused her to be let blood: upon which she came to herself again, and was pretty quiet till a little after nine, when she was seized with a second fit of heaviness and dozing, which increased so much upon her, that for above an hour she was speechless and motionless. Those about her judging, she was either dead, or near expiring, the duchess of Ormond, one of the ladies of the bed-chamber, then in waiting, sent, with all speed, a messenger to the duke her husband, with this melancholy news, which being brought to the committee of council, then assembled at the cockpit, they immediately went to Kensington. In the mean time the physicians thought fit to give the queen a vomit, which not having all the desired effect, they administered another medicine, proposed by Dr Mead; upon which she recovered her speech and senses.

The dukes of Somerset and Argyle, being informed of the queen's desperate condition, instantly repaired to Kensington, and, without being summoned, went into the council-chamber, where the lord chancellor, the dukes of Shrewsbury and Ormond, the three secretaries of state, the bishop of London, and some others, were in a committee. It is easy to imagine, that some of them were surprized at their coming in; but, after they had acquainted the board with the reasons which brought them thither, the duke of Shrewsbury returned them thanks for their readiness to give the council their assistance in that critical juncture. Then they took their places, and moved, that the physicians might be examined, and ordered to give an account in writing of the queen's illness, which they did. After

1714.

this, one of the council represented, how necessary it was, in case the queen died, that the place of lord-treasurer should be filled; to which the whole board assenting, the duke of Shrewsbury was proposed, and unanimously approved, as the fittest person for that high trust. Sir Richard Blackmore, Dr Shadwell, Dr Mead, and the other physicians, who were examined, having assured the council, that the queen was sensible, the chancellor, with the duke of Shrewsbury, and some other lords, were ordered to attend her, and lay before her the unanimous opinion of the council; upon which she said, 'They could not recommend a person she liked better than the duke of Shrewsbury;' and, giving him the treasurer's staff, bid him 'use it for the good of her people.' The duke would have returned the lord-chamberlain's staff, but she desired he would keep them both; so the same person was at once possessed of three of the highest places of trust, honour, and profit, under the crown of Great-Britain, being lord-treasurer, lord-chamberlain, and lord-lieutenant of Ireland. The duke's advancement to the post of lord-treasurer immediately changed the face of affairs; baffled the lord Bolingbroke's schemes; alarmed the friends of the pretender; and revived the spirits of the well-affected to the Hanover-succession (e). Upon the motion of the dukes of Somerset and Argyle, it was agreed, that all privy-counsellors, in or about London, without distinction,

(e) It would take up another volume (says the author of the History of the White-staff) to give an account how struck they appeared at this surprising blow. What, give away the staff? said they, after they had stood looking upon one another speechless and confounded for some time, at a private assembly of all their confederates, which was held on this occasion, where they gave vent to their passions, and broke out into all the extravagancies of rage and despair. 'The blast of hell, and the rage of a million of devils, be on this cursed staff' (said the secretary,

'flinging the purse to the ground) it is he that has ruined us.' 'Give away the staff,' said the bishop, by 'G—' 'I could not have believed she durst have done it? What can we do without it? We have but one way left, France, and the lawful heir; it must and shall be done, by 'G—' Whither do I launch (says the author) this is a scene of such consequence, filled with such a discovery of black designs, that it cannot be entered upon here, but must be referred to another occasion. See Hist. of the White-staff.

should

should attend; which the lord Sommers, and some other friends to the house of Hanover, did that very day.

1714.

About three o'clock in the afternoon the queen relapsed into a lethargy or apoplectic fit, out of which she hardly recovered by the application of the spirit of sal ammoniac to her nostrils. The physicians thought fit to apply blisters; but, at the same time, acquainted the council, that the queen's life was in the utmost danger, and intirely depended on the effect of this last remedy.

In the mean time, the privy-council took into consideration the state of the kingdom; and very severe reflections were made on the late administration, for leaving the maritime places, particularly the important town of Portsmouth, unprovided with men and warlike stores, and consequently incapable of defence, in case of a sudden invasion, which might be reasonably apprehended, in case of the queen's death (f). But, the present business not being to inquire into, but to mend faults, the council, with great prudence and dispatch, provided for the security of the cities of London and Westminster, of the maritime towns, and of Scotland and Ireland. Orders were immediately dispatched to four regiments of horse and dragoons quartered in remote counties, to march up to the villages near London, to keep the jacobites and disaffected in awe: and to seven of the ten battalions of British forces, to embark at Ostend, and sail for England with all possible speed. An imbargo was ordered on all shipping, and directions were given for fitting out as many men of war, as could soonest be got ready. By these orders the publick tranquillity remained undisturbed, and no consternation appeared, but in the faces of the avowed partisans of the pretender.

The late ministers reflected on for leaving the maritime towns unprovided.

The queen continued all night in a lethargic fit, which increased to such a degree about ten o'clock on Saturday morning, that all the physicians despaired of her life. Upon this the privy-council sent orders to the heralds at arms, and to a troop of life-guards, to be in a readiness to mount,

July 31.

(f) Sir John Gibson, deputy-governor of Portsmouth, had, a little before, sent up to the secretary of state, an information he had received, of great preparations then making at Havre de Grace, for an embarkation of troops, which he apprehended to be in order to invade the

kingdom, and bring in the pretender: and, at the same time, he represented how unprovided he was, both with men and warlike stores, to defend that important place, in case of a sudden attack: but no notice was taken either of his information, or representation.

1714.

in order to proclaim the elector of Brunswick king of Great-Britain. At the same time, they caused a letter to be written to his electoral highness, to acquaint him ' with the ' extreme danger the queen's life was in; with the measures ' they had taken to secure the crown to him; and to desire ' him to repair, with all convenient speed, to Holland, ' where a British squadron, that was fitting out with all ' possible expedition, would attend him, and bring him ' over, in case of the queen's death.' This letter was that very morning sent express by Mr James Craggs, and with him orders were dispatched to the earl of Strafford, to desire the States-general to get ready to perform the guarantee of the protestant succession, if need should require.

This done, the privy-council resumed the consideration of the state of the sea-port towns, and ordered a strong reinforcement to be sent down to Portsmouth; and rightly judging, that, if the pretender's friends stirred any where in Great-Britain, it would be, most probably, in Scotland, they ordered major-general Whetham to repair thither, and assist major-general Wightman; and appointed the earl of Berkley to command the fleet. The queen gave some signs of life between twelve and one o'clock, and took some spoonfuls of broth. She continued in a lethargic condition till about six in the afternoon, when, her pulse beating a little faster and higher, those about her began to entertain some hopes. But the blisters not having had the desired effect, she expired on Sunday the first of August, a little after seven o'clock in the morning, having lived forty-nine years, five months, and six days, and reigned twelve years and five months, wanting seven days. She was not able, either to receive the sacrament, which the bishop of London was ready to administer, or to sign the draught of a will, whereby she directed her burial to be in the same manner and place with her late royal consort; and in which she left legacies to some of her servants.

Thus died queen Anne, whose character has already, in great measure, been described, but will more fully appear in the following remarks on the circumstances and affairs of her reign.

Remarks on
the reign and
character of
Q. Anne.

No reign was ever more memorable than this for important events. Different accounts and numerous comments have disguised and confounded many material particulars. But, notwithstanding this, the true state of affairs, and

the real character of this princess, may, without much difficulty, be explained. No period of time afforded men more eminent for wisdom and abilities, and more distinguished by successes equal to their merit. Had not such circumstances happened, Europe must have submitted to an universal monarchy, which would not have endured any remains of civil or religious liberty.

When the war was begun, nothing could be more menacing than our prospects. The house of Bourbon despising all treaties, and most solemn engagements, without any difficulty or opposition seized territories more extensive and considerable, than were ever gained by the most rapid conqueror, by the toils of a long life. All the powers of Europe were obliged, by the laws of prudence and self-defence, to oppose a monarch thus prepared for their destruction. Those, at remoter distances, were easy and insensible; and some, who were nearly concerned, entered into the pernicious measures of France. The pride and oppression of the court of Vienna aggravated the evil, by giving occasion to the insurrection of those subjects*, of whose usefulness and importance the present times have afforded full evidence.

* The
Hungarians.

The Turks remaining quiet during the whole war; the insurrection in the Cevennes; and the victory at Hockstedt, are instances of the most favourable incidents. When we review the case of those brave and oppressed protestants, how can we forbear inquiring, Why was not a deep and incurable wound then given to France in her vitals? Must we ascribe our fatal neglect to bigotry, perfidy, to an aversion to all foreign churches, and to the natural operation of tory principles? It is affirmed, it was only carried by one vote at the council-board, not to call them rebels in our gazette: 'and will your majesty assist rebels?' Is said to have been the expostulation of a very grave nobleman with the queen's conscience. While too many were averse, others seem to have had no true sense of the importance of this incident. Complaints have been likewise made of our being betrayed by our agents.

The wonderful and very seasonable success at Hockstedt was properly pursued by our great general. But, how faulty was the house of Austria on their part? How much valuable time was wasted; and how feebly did they come prepared to the siege of Landau? Military preparations were neglected, and the vain pomp and shew of a king of the Romans chiefly regarded. Thus the troops were oblig-

1714.

ed to continue in the field till the beginning of winter, to their great detriment. The feebleness or slowness of the Germans, or the envy of their general, defeated their designs which were excellently formed, of penetrating into France on its weakest side. A year's respite thus gained, enabled the enemy to offer us battle. A compleat and cheap victory was gained and followed with all desirable consequences. Time spent in the sieges of this and the following years has been represented as the want of conduct, or something worse. But the importance of a barrier is evident to every honest and thinking man. When this security is neglected, the awe and terror it must produce will convince by facts far more effectual than the clearest reasoning. The entering France, and leaving behind the numerous fortified towns of the new conquests, had any mischance happened, would have been deemed an unpardonable want of precaution. To a second attempt, by the way of Lorraine, there was nothing to give encouragement.

Our advantages in other parts were very considerable; particularly by disappointments of the enemy in the sieges of Gibraltar and Barcelona. But what account can be given of our misfortune and misconduct, when a sure, near, and easy method of possessing Spain was offered? What hindered lord Galway's marching with proper expedition to Madrid? Had this been executed, all the courts and tribunals of the kingdom would have been secured. By dispatches from thence the governments of America might have been gained. But in what terms shall we mention the delays of king Charles and the earl of Perterborough, after the flying retreat of king Philip and his army! Their behaviour, in all its parts, was a direct contradiction to all the dictates of prudence, interest, and glory. Had they immediately assembled the troops in Valencia and Catalonia, joined lord Galway, and marched directly to the Pyrenees, Philip must have been for ever excluded; and the great and good ends of the war would have been happily and speedily accomplished. What a reverse happened, has been related in its proper place.

The disappointment before Toulon was almost equally affecting. Such a conquest would have been a most sensible wound to France. Had not the army been weakened by the great body of troops sent to the conquest of Naples, the affair must have succeeded. Jesuitical counsels and French money are supposed to have influenced the court of Vienna. The reasoning fatally urged was to this purpose:

if the naval power of France is destroyed in the Mediterranean by taking Marseilles and Toulon, the uncontrollable dominion of two maritime powers, which are protestants, will be intolerable. The priests of Italy and Spain trembled for Rome and the holy house. They had lively forebodings of something worse than the return of the days of Cromwell. As they had an assured prospect of Spain, the perfect awe and subjection of the maritime part of that catholic kingdom to heretics came into consideration: this, though known to Dr Hare, was not inserted in his excellent political tracts published in 1711 and 1712, for a very obvious reason; since it would have given assistance to the ministers in their evil designs of infusing into the nation ill-will and aversion to the house of Austria, and kind inclinations to that of Bourbon.

Not improving advantages and opportunities is matter of easy observation to all, who reflect on the several wars, of which we have accounts. In confederacies, wherein there is a variety of humours and opposite interests, such misfortunes are in a great measure unavoidable. But, notwithstanding the several escapes of the enemy, the duke of Marlborough's sure and steady progress, and the damages the French sustained in other places, reduced them to a state of the utmost distress and terror. Their frontiers were impaired to such a degree, that we had gained an easy and secure admission into the open and defenceless parts of France, had his queen and country duly supported this great captain. The grand monarch would have been driven from his capital; his glory had received an indelible stain; and his vain and insolent subjects a just mortification. Such advantages would have repaid all our toils and expences. He must have gladly compounded by recalling his grand-son from Spain. His forcible and fraudulent acquisitions must have been surrendered; and sure foundations laid for the lasting peace and safety of this part of the world. Clearer and more obvious truths appear no where in the histories of any age or people; yet such hath been the delusion of party, that contrary representations have gained an intire credit. The speculative and practical propagators of them have been considered by a numerous party, as the best writers, and the wisest and most worthy ministers.

The temper, behaviour, and management of the queen, on whom so much depended, deserves a particular and impartial consideration. As both parties in their turns were greatly disobliged and offended, no praises have been given

1714. her for personal steadiness and wisdom. In some sermons indeed, parts and abilities have been ascribed to her; but, were such passages duly explained, the abilities would be found to belong only to her ministers.

Great are the dishonours, which have redounded to the sacred order by the behaviour of those princes, who have been most favoured with their esteem. The effects of their zeal have not appeared in a warm and equal concern for the welfare of society; but in aiding one party to oppose and ruin the other. Benevolence and compassion have been disregarded; and wrath, clamour, and brutal qualities have been encouraged; and those of the divine and humane kind been greatly neglected.

There were two things, to which the inglorious part of this reign may be chiefly imputed; the queen's passion for favourites, and the prejudices of her education. To the secret influence of favourites was owing the disgrace of her general, who, while he was steadily pursuing the interest of the publick, was not only dismissed and loaded with the heaviest reproaches, but even prosecuted for what had been granted him by the queen's warrant under her own hand, and what was afterwards given to the duke of Ormond. By the same secret influence, the exchanging the able, honest, and successful, for those whose management proved them in all respects the reverse, was esteemed an important deliverance. Hence also it was, that the ministers had often such put upon them as were their enemies, and the just aversion of those on whose assistance they depended. This incommoded every ministry, and was the cause of the queen's constant complaints of her being only a royal slave. In a word, passion for favourites seemed to have a greater effect upon her, than the impressions of ambition and glory: for otherwise the most worthy designs had not been abandoned, when there was so near a prospect of their accomplishment.

The prejudices of the queen's education had also a great share in sullyng the glory of her reign. It was her misfortune to be educated in such times, and under such persons, as had given her wrong ideas of religion and the church, and infused into her, from her very infancy, strong prejudices against the whigs, who were represented to her as enemies to the constitution in church and state. Deliberate reviews are very uncommon, and especially in those who are at the height in power. This evil was therefore incurable, and had very ill consequences. Hence, though the

1714.

the queen has been justly commended for her devout and regular attendance on the offices of the church (g), and for ardent wishes for its prosperity, yet for want of true notions of religious liberty (which she had never been taught) attempts were repeatedly made in the beginning of her reign, with her approbation, to discourage and distress the dissenters. But these attempts were disappointed by the moderation and justice, which then subsisted in the house of lords. The concurrence of the treasurer * and general † in those measures hath been represented as an instance and most unseasonable expression of their enmity to the true principles of liberty. But the immediate and pressing motive of their behaviour was a necessity of complying with the inclinations of their royal mistress. Had they refused, they would have given their rivals a very dangerous advantage. And, though we should allow the fullest strength to their old leaven, yet it must be supposed, if they had been at perfect liberty, their known prudence and policy would have restrained such appearances of it at this time. For nothing could be more mortifying and offensive to the Dutch, and all the reformed churches. Besides, to begin such a war with disuniting measures at home would have been to the last degree absurd.

* Lord Godolphin.
† Duke of Marlborough.

Distressing and incapacitating were consistent with the designs, the views, and measures of the four last years of the queen's reign. All protestants abroad, as well as those at home, who differed from the establishment, were marked with infamy. A loud noise for the church filled all places, and prevented all attention to the calamity and destruction preparing for the state. Depriving the dissenters of the natural right of educating their children was the prelude to the divesting of them of their most important privileges in society. For their power of voting for members of parliament would have been taken away; and they would have been rendered equally incapable of being concerned in the choice of members of corporations.

How soon hath the sense of such a deliverance been lost! Because impracticable favours have not been granted, many of them, who dignify themselves with the name of consistent protestants, and the true asserters of liberty in its full

(g) She was so strict an observer of forms, that once at Windsor she reproved the minister for giving her the sacra-

ment before the other clergy then present had first received it. Coke, Vol. III. 481.

1714.

extent, have shewn themselves extremely perverse both in their words and actions; and in some places applied their wonderfully-preserved privileges and capacities for the service of an interest, which had doomed them to destruction; in others, they have been indolent and unconcerned.

How the queen's zeal for the church operated in the affair of Dr Sacheverel, is but too well known. This zeal gave the enemies of the ministry advantages at court and in the country, beyond their most sanguine expectations. To the mad ferment which was diffused through the kingdom, and which influenced the future elections, the easy success of the new ministry may be justly ascribed. For though they had been possessed of power; and though the nation was tired out with taxes; yet nothing but the operation of the noise and name of the church could have given them so secure a majority. This alone, after such affecting successes, was capable of producing an insensibility of the advantages given the enemy, and of the distress, to which we most faithlessly and insolently reduced our allies. Our liberties, trade, and commerce could only by this means have been placed in so bad a situation.

An explanation of the real secret of the management of the new ministry, and of the impeaching parliament, hath not been attempted. Perhaps of this, as well as of some other particular both at home and abroad, no full and exact account will ever be given. It hath been said, that the treasurer and his friends foresaw and intended some of the consequences. The junto and their friends, the zealous promoters of it, were to have been given up. That the junto had often made remonstrances and demands, both with regard to persons and things, in a manner disagreeable to the prime minister, may be allowed, without supposing a wise man capable of so absurd a scheme for his deliverance. Besides, the combination between the then patriots and the tories was known to be so firm, as not to suffer him to entertain the least hopes of making any impression. From all appearances, we may conclude it to have been the effect of hasty unthinking zeal. Express and parliamentary approbation was intended for the principles, on which the revolution is founded. Something of this kind seemed necessary, because, throughout this reign, revolution principles had been perpetually disgraced and opposed from the press and the pulpit.

The

1714.

The heart of the queen was well known, and her secret affections and dissatisfactions well understood. Therefore, during the trial of Dr Sacheverel, and immediately after, the principles of the revolution were vilified beyond measure; and the doctrines of slavery became matter of glory, as the peculiars of christianity and the church. Addresses were graciously received, wherein, with the omission only of his name, the pretender's title was expressly asserted; and, by evident implication, this was calling the possessor of the throne an usurper; language, which hath ever been unpardonable with every other prince: However this be, most certain it is, that those who had expressed their readiness to concur in the measures of the court, were regarded as well affected, and declarations and assurances in favour of the house of Hanover were considered only as a matter of necessity and form.

No one of our monarchs ever had greater advantages of doing good both at home and abroad, nor had any reign been distinguished with such glorious and important events. Germany saved from destruction; the imperial crown preserved and fixed on the head of our ally; Flanders subdued; the exorbitant power of France reduced; the union of England and Scotland, are events for which the reign of queen Anne will be had in everlasting remembrance. But by a dishonourable peace, how fruitless were these important events rendered? How soon was the power of France restored to a condition of injuring, oppressing and terrifying the world? And very probably, nothing but the queen's sudden removal prevented the execution of those schemes in favour of the pretender, which the peace-makers had laid, and for which due preparation had been made (h).

Had

(h) It is made a question by some, whether the queen knew any thing of the design of bringing in the pretender, notwithstanding the strong appearances of it. In 1708, when the attempt was made on Scotland, Sir George Byng had no instructions as to the person of the pretender. When this particular was taken into consideration, the council broke up in confu-

sion. For when some mentioned methods of dispatch, the moving appearance of the queen's flowing tears prevented all farther deliberation. Lamberti says (Vol. VIII. p. 657.) that it was very evident the queen of Great-Britain was extremely inclined to set the pretender on her throne. This inclination first appeared on the death of her son the duke of Glo-

1714.

Had not the emperor and Catalans prolonged the war, Lewis XIV. some months before the queen's death would have sent us his last legacy; for he would have been at perfect liberty to have aided those here, who had prepared every thing for a second restoration. Who can mention the Catalans, and forbear lamenting their severe and horrible usage? We not only neglected their securities and privileges, though they had been true to all their engagements, but assisted in completing their ruin (i). The case of the Catalans seems to afford full proof, that the queen was deceived by her ministry, and kept in total ignorance of affairs; for if that had not been the case, she must have had no inclination to truth and probity, and have been incapable to distinguish between right and wrong, in the strongest instances, which cannot well be supposed (k).

The

Glocester. For an express being sent by the queen (then princess of Denmark) to the court of St Germain's, to notify the duke's death, the earl of Manchester, ambassador from king William to the court of France, sent his secretary Mr Chetwin to Loo, to inform the king of this proceeding. The reader may also see the extract numb. I. annexed to the end of this reign, concerning the pretender's affair.

(i) See the case of the Catalans, numb. II. at the end of this reign.

(k) How grossly the ministry imposed on the queen, appears from several transactions, orders and directions given by the ministers in the queen's name, directly contrary to her sentiments as expressed in her messages and speeches to the parliament, concerning the terms of peace, which she communicated to both houses. The committee of secrecy examined this matter, and compared the queen's declarations with the measures

her ministers presumed to take in carrying on the negotiations. This they did in the following manner, in their report to the house of commons.

The first time that the queen made any mention of the peace to the parliament, was on December 11, 1711, at which time nothing had been concluded between England and France, but the special preliminaries that were signed by the earl of Dartmouth and Mr St John on the part of England, and monsieur Mesnager on the part of France, September 27, 1711, and the general preliminaries signed by monsieur Mesnager only, which were sent over by the earl of Strafford as the foundation of a general peace. After these preliminaries were signed, Mr St John had pressed monsieur de Torcy, that the king of France would explain himself with regard to the allies; begs that the queen may have some explication of his intentions in respect to the particular interest of the allies, and concludes with saying,

The domineering manner, in which we joined with France, in dictating terms to our allies; the faithless and insolent manner of abandoning them; the injurious usage of them in debates and resolutions of parliament, and by ministerial

1714.

if the Sieur Gaultier returns with these marks of confidence, you will see our parliament as much inclined to peace as ever it was to war.

Such explications as the king of France thought fit to make, are contained in the answer to the memorial brought by monsieur Gaultier, Nov. 18, 1711*. Upon which her majesty at the opening of that session, in laying before the parliament the state of the treaty then on foot, according to the advice and representation made to her by her ministers, said, 'That notwithstanding the arts of those who delight in war, both place and time are appointed for opening the treaty of a general peace. Our allies, especially the states-general, whose interest I look upon as inseparable from my own, have, by their ready concurrence, expressed their confidence in me.' The queen thought the States had readily concurred with her; but it must be remembered, that the states had in the strongest manner represented against the propositions signed by Mr Mesnager, as too general and uncertain, not being a sufficient foundation upon which a negotiation might be hazarded; they dreaded the fatal consequences of opening the general conferences, before the articles offered by France were made specifick, and before they knew what they were to trust to for their own

barrier and their commerce. These representations were made in Holland to the earl of Strafford; and Mr Buys was sent over into England to enforce them here.

But, instead of acquainting the queen with these representations, or acting according to her majesty's sentiments, Mr St John, October 9, declares, 'Certain it is, that her majesty is so far determined in her measures, that those will deceive themselves who may imagine by delay to break them.' And October 29, 'The queen remains firm in her resolution, of causing the conferences to be opened upon the articles signed by monsieur Mesnager.' And November the 2d, 'The queen will not finally concert a plan for the prosecution of a war with the States, until they join with her in agreeing to open the conferences of peace.' And November 15, lord Strafford says, 'He had now told them her majesty's order to him was to declare, that she should look upon any delay as a refusal to comply with her propositions.' By these threats and extraordinary measures, the States are compelled by the queen's ministers, to consent to open the conferences; when at the same time her majesty was persuaded, that they readily concurred in what had been proposed to them. Her majesty de-

* See appendix to the report.

1714. nisterial writers, have given impressions greatly detrimental to all future negotiations, and fixed indelible infamy upon our nation.

Queen Anne, as to her person, was middle sized, and well

declares, ' She looks upon the
' interest of the States-general
' to be inseparable from her
' own.' Mr St John declares,
' That Britain had gone so
' much too far in weaving her
' interest into that of the conti-
' nent, that it would prove no
' easy task to disentangle them
' without tearing and rending.'

The queen says further, 'The
' princes and States which have
' been engaged with us in this
' war, being by treaties entit-
' led to have their several inter-
' ests secured at a peace, I will
' not only do my utmost to pro-
' cure every one of them all
' reasonable satisfaction, but I
' shall also unite with them the
' strictest engagements for con-
' tinuing the alliance, in order
' to render the general peace
' secure and lasting.' And in
her message of the 17th of Ja-
nuary following, her majesty
again expresses ' The care she
' intended to take of all her al-
' lies, and the strict union in
' which she proposed to join
' with them.'

By these declarations it ap-
pears, her majesty's own reso-
lution was to unite with the al-
lies in the strictest engagements.
But her ministers had taken upon
them, in the private propositions
sent over by Mr Prior, to insert
an article, ' That the se-
' cret should be inviolably kept
' between England and France,
' till allowed to be divulged by
' the consent of both parties.'

And although France, in the
first propositions sent over by
monsieur de Torcy, had offered
to treat with England and Hol-
land, either separately or joint-
ly, with the rest of the allies, at
the choice of England, the
queen's ministers excluded the
allies; and in the conference
held with monsieur Mefnager,
' They are much surprized to find
' that he had orders to insist,
' that the queen should enter in-
' to particular engagements,
' upon divers articles, which
' depend not upon her, and
' which regard the interest of
' the allies; and they insisted
' that it was absolutely necessa-
' ry to remit the discussion of
' the particular interest of the
' allies to general conferences.'

And when Mr St John was
pressing monsieur de Torcy to
give them some explications of
what was designed for the allies,
he assures him, ' If the king
' would offer a plan of specifick
' preliminaries, the queen will
' never communicate it to her
' allies.' And upon another
occasion he declares, ' This ne-
' gotiation was begun and car-
' ried on upon a supposition,
' that the queen must desist from
' many conditions which in ri-
' gour she was obliged to pro-
' cure for her allies.'

In the message of the 17th of
January the queen declares,
' Her plenipotentiaries had be-
' gun, in pursuance of their in-
' structions, to concert the most

' pro-

well made, but not so majestick as her sister queen Mary. 1714.
 Her hair dark brown; her complexion sanguine and ruddy;
 her face round, rather comely than handsome; her features
 strong and regular; and the only blemish in her face was
 owing

proper ways of procuring a
 just satisfaction to all in alli-
 ance with her, according to
 their treaties, and particu-
 larly with relation to Spain
 and the Indies.' And her ma-
 jesty had said before, in answer
 to an address from the house of
 lords, presented the 11th of De-
 cember 1711. 'I should be
 sorry any one could think I
 would not do my utmost to re-
 cover Spain and the Indies
 from the house of Bourbon.'

The committee did not doubt
 but her majesty was determined
 to recover Spain from the house
 of Bourbon: but, that her mi-
 nisters had no such thoughts,
 and did not in the least endea-
 vour it, appears in every part of
 the negotiation. In the first
 propositions sent over by Mr
 Prior, demands are made of the
 king of France, to be perform-
 ed by the king of Spain, which
 the king of France was to en-
 gage for. And as appears by
 an entry in lord Strafford's
 book, Mr Prior had orders to
 see if they had full powers from
 Spain. In the special prelimina-
 ries, an acceptation whereof was
 signed by the earl of Dartmouth
 and Mr St John, September
 the 17th, 1711, it is said ex-
 pressly, The king promises in
 the name of the king of Spain
 his grandson, and according to
 the powers which his majesty
 has received from that prince,
 that Port Mahon and Gibraltar
 shall remain to the English.

These steps had been taken by
 the queen's ministers, even be-
 fore her majesty had made these
 declarations; which the com-
 mittee cannot therefore but con-
 clude her majesty was not in-
 formed of. And although the
 queen's plenipotentiaries were
 obliged by their instructions to
 insist, That Spain and the West-
 indies should not be allotted to
 any branch of the house of
 Bourbon; when the plenipoten-
 tiaries of France, on the 11th
 of February, 1711-12, gave in
 their specifick explanation of the
 general preliminaries, signed
 by Mr Mesnager; the king of
 France made his first offers in
 the name, and by virtue of
 powers from his grandson king
 Philip, as king of Spain. On
 the 4th of March, 1711-12, at
 a meeting of the ministers of the
 allies at Utrecht, where they
 were to communicate to each
 other their respective demands,
 count Sinzendorff insisted, That
 the restitution of the whole Spa-
 nish monarchy should be expres-
 sly mentioned; upon which oc-
 casion it appears, by a letter
 from the English ministers of the
 6th of March, That they were
 the only ministers that did not
 make any mention at all of
 Spain, and that they were sen-
 sible of the disadvantageous con-
 sequences of being so; but be-
 ing desirous to take off this odi-
 um, they make a general de-
 claration concerning the just and
 reasonable satisfaction for the
 queen's

1714.

owing to the defluxion she had, when young, in her eyes, which left a contraction in the upper lids, and gave a cloudiness to her countenance. Her bones were small, and hands beautiful. She had a very good ear for musick, and per-

queen's allies, in conformity to their alliances; and humbly hope what was said will not be found contrary to what has been hitherto declared.

All the attempt that the queen's ministers ever made towards obtaining this great point which her majesty declares, she should be sorry any one could think she did not do her utmost to procure, was to demand assurances that the crowns of France and Spain should never be united. The method of preventing this union was never mentioned by the queen's ministers in order to be treated of, nor the sense of France and Spain ever asked upon it till the latter end of March, 1712.

In the same message her majesty further adds, 'The world will now see how groundless those reports are which have been spread by men of evil intentions, to serve the worst designs, as if a separate peace had been treated, for which there has not been the least colour given.'

In this declaration, her majesty is advised by her ministers, in order to clear them from the just suspicions which all the world had conceived of the separate measures they were engaged in, not only to declare there had not been the least colour given for such jealousies, but to brand all that entertain such apprehensions, with the character of men of evil inten-

tions, that had the worst designs to serve. But that most just cause had been given for these reports, is sufficiently evident from what was just now observed. The ministry had insisted that the secret should be inviolably kept between England and France, exclusive of all the allies. A separate negotiation between England and France had been carried on by papers sent backward and forward, and much time spent therein, as is said in lord Strafford's instructions. Mr Prior had been sent into France, and Mr Mesnager had been in England, and not the least communication was given for five months together to any of the allies of these transactions, which were depending from April 1711, to September following, from the time that the first proposals signed by monsieur de Torcy were sent to the States, till the seven general preliminaries signed by Mr Mesnager, were communicated to them. When these general preliminaries were signed, which were sent over as a foundation to open the general conferences, a set of special preliminaries between England and France was signed on both parts, which were concealed, publicly disowned, and never appeared till this enquiry; and all these transactions had passed, however disguised to her majesty, before the time that her ministers advised the queen

performed on the guitar, an instrument formerly much in vogue. Her voice was remarkably clear and harmonious, which particularly appeared, in the graceful delivery of her speeches to the parliament. She was reckoned a pattern of

to impose so grossly upon the nation, as to declare in parliament, there had not been the least colour given for these surmises.

Her majesty is advised here to declare, That to report that a separate peace had been treated, proceeds from evil intentions and to serve the worst designs. But the committee observes, That after this declaration of the queen, her ministers propose to France, agreed with France, and sent positive and repeated orders to the queen's plenipotentiaries, not only to treat, but to conclude a separate peace with France. On the 20th of June, 1712, Mr St John acquaints Monsieur de Torcy, the queen will make no difficulty to conclude immediately a separate peace with France, leaving the allies a time wherein they may have liberty to submit to such conditions, as shall be agreed upon between the queen and the most christian king. In answer to this, monsieur de Torcy tells Mr St John, upon condition the queen does immediately make a separate peace, and keep no measures with her allies, the king has determined to send his orders to permit the English troops to enter into Dunkirk. On the 12th of July, 1712, Mr St John thinks the queen in a condition not to lose a moment's time in concluding with the ministers of France the convention

VOL. VI.

for a general suspension of arms both by sea and land, and even the treaty of peace between Britain and France. And on the 4th of August, 1712, Monsieur de Torcy acquaints Mr St John, That the king consented to the duke of Savoy's having Sicily upon certain conditions; wherein one express condition is, That a peace be concluded between England and France, Spain, and Savoy. And at last, when the treaty drew near to a conclusion, and almost all the allies were ready to sign, on the 20th of February, 1712-13, positive orders are sent to the British plenipotentiaries to conclude and sign with France; and on the 28th, lord Bolingbroke repeats his orders to the British plenipotentiaries to conclude and sign with France: and acquaints them, 'The duke of Shrewsbury had declared, that their lordships had orders, in case the French complied, as they now have actually done, to sign her majesty's peace with France without our further delay; and that his grace had also declared, 'That in this case her majesty would open the parliament by telling them she had made a peace with France: these two considerations, his lordship says, were perhaps the most prevalent inducements to the French court, to come roundly into her majesty's propositions.'

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The

1714.

of conjugal affection, and a prudent indulgent mother. She was liberal, though an enemy to luxury and profuseness. She was very reserved; and, in all conditions of life, she required a strict attendance from all persons in their respective

The committee close this head with repeating a passage from one of lord Bolingbroke's letters to Mr Prior, wherein he says, 'If such overtures as these were not instantly accepted, our separate peace would, sitting this parliament, be addressed for, made, approved, and the cause of France for once become popular in Great-Britain.'

On the 6th of June 1712, the queen says, 'I am now come to let you know upon what terms a general peace may be made.'

On the same day, lord Bolingbroke acquaints monsieur de Torcy, 'That though the king of France had not answered the queen's demands, according to expectation, the queen would not defer going that day to parliament, and making all the declarations that were necessary to render the nation unanimously inclined to the peace.'

The queen says, 'The difficulties had been increased by other obstructions, artfully contrived to hinder this great and good work.' Whereas it is notorious, that the ministers had received but the day before, the account that king Philip had consented to make the renunciation, upon which account only the queen's speaking to the parliament had been deferred.

The queen says, 'I have not

omitted any thing which might procure to all our allies what is due to them by treaties, and what is necessary for their security.'

Lord Bolingbroke, on the very same day, in his letter to monsieur de Torcy, says, 'Lord Strafford is going back to Utrecht, and the instructions he is to carry will put the queen's plenipotentiaries in a condition to keep no longer those measures to which they have hitherto been obliged to submit; but from henceforth they may openly join with those of France, and give law to them, who will not submit to just and reasonable conditions.'

The queen says, 'Nothing has moved me from steadily pursuing, in the first place, the true interest of my own kingdoms.'

Lord Bolingbroke just before, on the 24th of May, had proposed to monsieur de Torcy, 'That the queen being much more intent upon the general peace, than any particular advantages, commissaries should be appointed to settle, after the peace, such points relating to trade, as required a longer discussion than the present crisis would admit.'

The queen says, 'That to prevent the union of the two crowns, she would not be content with what was speculative, but insisted upon some

thing

respective station, she herself being nicely observant of all the decorums of a court.

The exercise she principally loved was hunting, which she practised in her chaise; but the gout increasing upon her,

'thing solid:' Although monsieur de Torcy had before declared to the queen's ministers, 'That to accept of this expedient which they proposed, would be to build upon a sandy foundation.'

The queen says, 'The nature of the proposal for a renunciation is such, that it executes itself; and that France and Spain are thereby more effectually divided than ever.' But monsieur de Torcy had before assured the queen's ministers, 'That this renunciation would be null and void, by the fundamental laws of France; and they would deceive themselves, who accepted of it as an expedient to prevent the union of the two crowns.'

The queen says, 'Provision is made, that the same privileges and advantages as shall be granted to any other nation by France, shall be granted in like manner to us.' But it appears, by a letter of lord Bolingbroke's in January following, to the duke of Shrewsbury, That France refused to let our trade stand upon the foot of gens amicitia; declared the tariff of 1664, which was granted to the Dutch, except the four species, was too beneficial for us; and refused to grant it, until another tariff should be made in Great-Britain exactly conformable to that of 1664,

'whereby our duties would be reduced as theirs are in France by that Tariff.'

As to our commerce with France, the queen says here, June 6, 1712, 'It was in a method of being settled.' And Mr Prior says of it in May following, near a twelvemonth after, 'We had like to have made an Athanasian business of it at Utrecht, by that explanation of our own way of understanding our own commerce. Their letters to you, full of surmises and doubts that all was unhinged; and their letters to us again, that explanations, however made, were only to save appearances, and signified nothing: this Melange, I say, and my endeavouring to understand it, had like to make me run mad, if the duke of Shrewsbury's extreme good sense, and monsieur de Torcy's not only honest, but right understanding, had not redressed us.'

The queen says, 'The French consented to deliver up Newfoundland and Plantia.' But it must be remembered, that in the preliminaries signed in September preceding, the French had reserved to themselves a liberty of taking and drying fish in Newfoundland.

The queen says, 'An absolute cession was to be made of Nova Scotia, or Acadia. But Cape Breton, which was al-

ways

1714.

her, and growing extremely unwieldy, she refused that and other diversions, conducive to her health, which perhaps might have been longer preserved, had she not eat so much, an unhappiness derived to her not from her father, who was abstemious enough, but from her mother (1).

It was her unhappiness not to be much acquainted with our English history, and the actions of her predecessors; whereas, queen Mary was extremely well versed, not only in our own, but the histories of other countries.

Her reign may be called bloodless, not one person having been executed, at least beheaded, for treason, during the whole course of it; which cannot be said of any reign since the time of Edward I, who died in 1307.

Semper eadem was the motto of queen Elizabeth, which queen Anne assumed upon her accession to the throne; and which, had she pursued with the same resolution and steadiness, she might have exceeded her in glory and fame. But

ways understood to be, and is so declared by the queen's instructions to the duke of Shrewsbury, to be part of Nova Scotia, is expressly given up to France.

The queen says, 'The trade to Spain and the West Indies may in general be settled, as it was in the time of the late king of Spain, Charles the second.' But when the project of the treaty of commerce came from Madrid, lord Bolingbroke says of it, 'They had sent a blind, lame, mis-shapen, indigested monster, instead of that fair offspring, which we had reason to expect from our candor.'

* Coke.

If all the other parts of this speech be strictly examined, it will be found that the ministry did so grossly deceive the queen, in order to impose upon the parliament by her authority, that there is scarce a paragraph that does not contain some unfair, or at least equivocal repre-

sentation of the state of the negotiations. And when the queen was advised by her ministers to make this communication to parliament, as the terms upon which a general peace might be made, it is very evident, that they had no assurances that France would make good what they prevailed upon the queen to declare in so solemn and publick a manner.

(1) This seems to confute the scandalous report of the queen's drinking spirituous liquors, which was told with so much assurance, that many who loved and esteemed her gave into it, whereas one of her * historians affirms it for a truth, that she abhorred all strong waters. The French continuator of Rapin gives credit to the common report, and says, she accustomed herself to it out of complaisance to the prince her husband.

1714.

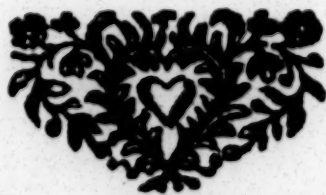
In one thing she was very unlike queen Elizabeth, whom she proposed for her pattern. Queen Elizabeth was very sparing of her honours, and a man must have deserved it, before he could obtain so much as a knighthood at her hands (m): whereas queen Anne made more peers of the realm at once, than the other did in a reign of forty-four years. Indeed, her great-grandfather king James, was the first that was lavish in conferring honour, whose example was but too much followed by his descendants; so that queen Anne was not singular in that respect, except in creating so many together, for an end that will remain a blemish upon her administration, as long as history endures.

In queen Anne ended the line of the Stuarts, their merit and demerit may be rightly stated, by considering what their regards or disregards were to the welfare of Europe; to the union and strengthening of the protestant interest; and to the quiet and prosperity of their subjects. In order to make up such an account duly and accurately, many important materials are still wanting.

There had been a new vault made on the south-side, and towards the east-end of Henry VII's chapel, to deposit the body of king Charles II, in which that prince, queen Mary, king William III, and prince George of Denmark, were laid. Here the remains of queen Anne were likewise deposited, and there being no more room left, the vault is closed up with brickwork.

(m) It is well known how so many knights at the taking of Cadiz.
angry queen Elizabeth was with
the earl of Essex for making

The end of the reign of Queen ANNE.



EXTRACTS and PAPERS relating to the
History of Queen ANNE.I. The proceedings about the pretender, as reported by the
Committee of Secrecy, June 1715.

Secret trans-
actions a-
bout the pre-
tender.
Rep. of the
Com. of
Secr.
* See p.
219, 252.

THE Committee begin with observing, that abbot Gaultier *, though he did not appear to have any publick character, resided in England during the greatest part of the negotiation for peace; and, upon extraordinary occasions, was often sent backward and forward. But the share he had in the more publick transactions, was not his only business. It was evident, some negotiations, which required more than ordinary privacy, were verbally transacted; and, upon all such occasions, abbot Gaultier was the person, to whom the French and English ministers mutually referred each other. And as of necessity nothing could be a greater secret, than all matters relating to the pretender, this province was particularly allotted to abbot Gaultier, that through his hands, and under his conveyance, by French couriers, going continually betwixt France and England, such practices might be carried on with great safety, which, in any other manner, had been too dangerous an undertaking.

The first time, that any secret negotiation is expressly referred to abbot Gaultier, is found in a letter of Mr secretary St John, of March 4, 1711-12, wherein he tells monsieur de Torcy, 'He had deferred writing to him of late, till he might write with certainty, till the necessary depositions were made among our people at home, and till the queen had taken the only resolution, which could bring us, in a short time, to a good and solid peace. I have now the satisfaction to tell you, that this resolution is taken; and that Mr Harley will carry with him this night, or to-morrow morning, the final instructions of the queen to her plenipotentiaries. I refer myself to Mr Gaultier, to explain to you more at large the subject of this gentleman's commission, and what the queen hopes his most christian majesty will do to co-operate with her.'

The committee of Secrecy observed, that several letters and papers were wanting, which, by the circumstances of time and matters then depending, appeared of moment and consequence; it was not to be expected, that those, who

had

had been so careful to suppress matters of less importance, would leave behind them any transactions, that might tend openly and directly to favour and support the cause of the pretender. But there were still left several passages, which are a plain indication of the tenderness and regard, with which the cause and person of the pretender were treated, as often as mentioned, and which the committee thought fit to bring together in one view, as follows:

There is a paper, that was left in lord Bolingbroke's closet, dated at Versailles the 24th of September 1711, indorsed, as other office-papers usually are. It gives an account, that the popes's nuncio had, in his last audience of the king of France, made the following declaration:

'That the court of Rome being fully informed, that France was endeavouring to procure a peace upon the most advantageous terms, that was possible; and being persuaded, that, if the peace should be made, England would not suffer, that the king of France should permit the prince of Wales to continue in his realms; the court of Rome offers to the king of France, to give this prince an asylum at Rome, or in any other part of the ecclesiastick dominions.' To which the king of France returned in answer, 'That an asylum for the prince of Wales would be no obstacle to the peace: that if the allies did truly desire to make a peace, he would accept of any reasonable propositions they should make; and in this case an article for the prince of Wales would be inserted in the treaty.'

June 7, 1712, the bishop of Bristol, giving an account to lord Bolingbroke of some discourse he had with some of the ministers of the allies, says, 'Monsieur Consbruck, one of the emperor's plenipotentiaries, kept also within the terms of decency, save only, that he took it for granted, that one great end of all this management on our part was to bring in the pretender; which apprehension one of the ministers of the States lately owned in private discourse to have been the fundamental reason of all their conduct of late.'

It is well known, what great stress and weight was laid upon the removal of the pretender out of the dominions of France. This was what all the nation, with great justice, expected, and what the queen declared was taken care of, as an additional security to the protestant succession. But his removing out of France, and being permitted to reside in Lorrain, was not only a great surprize to all the nation, but

was received with such just indignation, that the parliament addressed the queen upon this occasion, 'That she would insist upon his removal from Lorrain; that residence being equally or more dangerous to Great-Britain, than his abode in France.' Her majesty's answer, that she would repeat her instances, occasioned in the house of lords a becoming resentment, that the duke of Lorrain should presume to receive and entertain the pretender to her majesty's crown, in defiance to her majesty's application to the contrary. But it now appears in what manner the removal of the pretender out of France was transacted and settled; and that his residing in Lorrain was not only with the approbation, but even by the direction and appointment of the English ministry. Mr St John, in his letter to monsieur de Torcy, of the 24th of May 1712, O. S. when he sent him over the conditions, upon which her majesty would make those important and decisive declarations to parliament, concludes that letter with saying, 'He hopes, that, with the general repose, we shall see revived, in a few weeks, a good understanding between two nations, which may become, to each other, the most useful friends, for the same reasons they have been the most formidable enemies. The queen commands me to tell you, that she hopes, when you send an answer to this letter, we shall have an account, that the chevalier had begun his journey.' In answer to this, monsieur de Torcy says to my lord Bolingbroke, on the 10th of June, 'You may assure the queen, that the chevalier is ready to depart at a moment's warning, if he did but know where he was to go, and in what place he might be in safety. I own to you, that I know no prince, who is willing to receive him, for fear of displeasing the queen, or other powers. It will be absolutely necessary, that there should be some explanation upon this subject, which I desire you to make to me by the abbot Gaultier, if you do not judge it proper to do it yourself.'

Mr secretary St John, on the 6th of June, 1712, O. S. writes a publick letter, in answer to the several points contained in monsieur de Torcy's last letter; but, in that letter, takes no notice at all of the chevalier. But the day after, June the 7th, 1712, he writes a private letter, as he calls it himself, to monsieur de Torcy, and concludes it with saying, 'The abbot Gaultier will write to you upon the subject of the chevalier.' There were two copies of this private letter, one delivered by lord Bolingbroke,

broke, the other entered in lord Strafford's book: and, in the copy of this letter given by lord Bolingbroke, this passage, 'That abbot Gaultier shall write about the chevalier,' is omitted by his lordship.

On the 22d of June, 1712, N. S. Monsieur de Torcy writes two letters to lord Bolingbroke. In the publick letter nothing is said of the pretender: the private letter concludes with saying, 'I have the honour to send you a letter under the king's hand for her Britannick majesty; and I refer you to what the abbot Gaultier shall say to you about the departure of the chevalier.'

On the 21st of August, 1712, lord Bolingbroke being then in France, to give the finishing stroke to all matters of consequence, that were undetermined, in his dispatch to the earl of Dartmouth, giving an account of his proceedings at the court of France, says, 'The chevalier has fixed his departure for the first of next month, N. S. they propose, that he shall retire to Bar, and they intend to write to the duke of Lorraine, to ask of the emperor, and other princes, a security for his person during his residence in that place.'

But on the 28th of December, 1712, N. S. it appears, that the chevalier was still in France; upon which account Mr Prior writes thus to my lord Bolingbroke: 'Another point, upon which this court is very solicitous, is, that the chevalier remaining in any town of France obstructs the signing the peace; yet he cannot go to Lorraine, till the emperor's passports will secure him there. Your lordship, by the perusal of the papers, will see the state of that case, and I have only to add upon this subject, that the court of France expresses an impossibility on their side to do more than they have done; and hopes we should have interest enough with the emperor, to obtain such passports from him, as may secure, as well the person, who is to go into Lorraine, as the duke of Lorraine who is to receive him.'

Mr Prior, on the 29th, writes to the same effect to the lord-treasurer, and says, 'The monarch is a good deal troubled upon this head, lest the young man should fall into the hands of the hussars or barbarians. And monsieur d'Aumont has, I presume, orders to speak to our ministry upon it. As to the dowry, I shall not only be dunned to death, but hanged; for the dowager sends messages to me, which you in England do not think it extremely lawful to receive. But, if it is to be paid, pray

‘ pray let it be done in an handsome manner, that may
 ‘ shew the charity of the queen, and the generosity of her
 ‘ lord-treasurer.’

The papers, referred to in Mr Prior’s letter, contain an account of what the duke of Lorrain had done at the desire of the king of France, to obtain from the allies the necessary safeguard for the chevalier. He says, that understanding, that the queen of Great-Britain had already granted her safeguard or protection to the chevalier de St George, he believed they had no more to do, but to apply to the emperor, and to the States-general.

By this account it is evident, that abbot Gaultier was the person intrusted to manage the affairs of the pretender, with whom such practices were verbally to be transacted, as the British ministers did not think proper to commit to writing. It appears, that the place, to which he was to go, because nobody would receive him at the hazard of the queen’s displeasure, and where he might remain in safety, was to be prescribed from England: that this was not fixed and determined till lord Bolingbroke went into France: and, if his lordship’s instructions are considered, it will be hard to find in them any thing of that importance and secrecy, as to require his going in person to settle it. His lordship gives an account from thence, that the pretender was to go to Bar; and this is acquiesced in here, without the least objection made. The ministry are told by Mr Prior, that the court of France hopes, by our interest, such passports would be procured, as might secure his person. And, in the paper sent to France from the duke of Lorrain, it is asserted, that the queen of Great-Britain had already granted her protection to the pretender.

But, November 6, 1713, lord Bolingbroke writes to Mr Prior, and says, ‘ Her majesty having repeated to the
 ‘ duke of Lorrain the instances, which, you know, have
 ‘ been so often made to the most christian king, for re-
 ‘ moving of the pretender to her crown out of his domi-
 ‘ nions, I am directed to acquaint you therewith, that you
 ‘ may speak to the minister of Lorrain, and to any other
 ‘ minister, whom you shall think proper; and let them
 ‘ know it is absolutely inconsistent with the amity and good
 ‘ correspondence, that is between the queen and their
 ‘ masters, to receive into their dominions, or to protect a
 ‘ person, who disputes her majesty’s most undoubted title,
 ‘ and thereby endeavours to disturb the peace and quiet of
 ‘ her

her kingdoms. That you may be able to shew them, that this is the collective sense of the whole nation, as well as the queen's command to you, I herewith send you the addresses of both houses of parliament.' This can be understood as no more than a bare compliance with the addresses of parliament. And how little resentment and indignation was conceived against the duke of Lorraine, for this indignity offered to her majesty, appears from a letter written by lord Bolingbroke to Mr Prior, November 10, within four days after his last-mentioned letter upon the subject of the pretender. 'This letter, says he, will be delivered to you by baron de Forstner, who has been twice at our court, with the character of envoy from the duke of Lorraine, and who is extremely well with your friends on this side of the water, that I make no doubt, but that he will be a welcome acquaintance to you. I must, at the same time, recommend the interest of the duke of Lorraine his master to your care. You know, Sir, how little that prince has yet felt the good effects of what was stipulated for him at Ryswick. You know, Sir, how justly he pretends to an equivalent from this emperor for the Montserrat. In a word, you are enough apprized of his wants, of his expectations, and of her majesty's earnest desire, if by any means she can, to contribute to the ease and to the advantage of a prince, who deserves much better usage than he has on many occasions met with.'

There were several other letters, that were wrote after the address of parliament, to press the removal of the pretender from Lorraine: But, after what has been said, it is needless to observe, what little effect was to be expected from such representations made in the several courts of Europe, which were known to be contrary to the sense and intention of the court of Great-Britain. And, if any further demonstration was wanting to shew their true spirit and inclination, it may be observed, that the addresses in parliament were made in July 1713, and the first letter, that lord Bolingbroke wrote in pursuance of those addresses, was the 6th of November, which was four months after the addresses were presented to the queen.

It will not be improper to insert here an extract of a memorial, touching the demolition of the sluices of Dunkirk, delivered by monsieur de Torcy, to lord Bolingbroke, at Paris, in August, 1712. 'It is not our business now to examine, whether the queen of England, and the Eng-

lish

'lish nation, were in the right to demand the demolition
 ' of the fortifications, and the filling up the harbour of
 ' Dunkirk. That is a thing resolved and agreed upon. It
 ' may perhaps come to pass, in the course of this affair,
 ' for reasons easily to be foreseen, that England shall re-
 ' pent having demanded the demolition of a place, and
 ' the destruction of an harbour, which might be of great
 ' use in conjunctures, which perhaps are not very remote.
 The committee of secrecy did not take upon them to ex-
 plain, what conjunctures France had in view, and which
 they thought not very remote, when Dunkirk might be of
 particular service; but they thought proper to conclude
 that part of their report with observing, That the preten-
 der did, immediately upon the demise of queen Anne,
 publish a declaration, which the duke of Lorrain acknow-
 ledged in his letter of the 6th of December, 1714, that
 he received from the pretender himself, wherein is this
 remarkable passage: ' Yet contrary to our expectations,
 ' upon the death of the princess our sister (of whose good
 ' intentions towards us we could not for some time past well
 ' doubt; and this was the reason we then sat still, expect-
 ' ing the good effects thereof, which were unfortunately
 ' prevented by her deplorable death) we found, that our
 ' people, instead of taking this opportunity of retrieving
 ' the honour and true interest of their country, by doing
 ' us and themselves justice, had immediately proclaimed
 ' for their king a foreign prince, to our prejudice, con-
 ' trary to the fundamental and incontestable laws of here-
 ' ditary right, which their pretended acts of Settlement can
 ' never abrogate.' Thus stood the pretenders affairs at the
 death of queen Anne.

II. The case of the Catalans, as represented in the report of the Committee of Secrecy, June 1715.

AF T E R several unsuccessful attempts by way of Por-
 tugal, and the design upon Cadiz, to settle king
 Charles on the throne of Spain; and that the confederate
 fleet had appeared before Barcelona in 1704, without the
 desired success; her majesty, in the beginning of the year
 1705, sent Mr Crowe as her minister to Genoa, with pri-
 vate instructions, to the following effect: ' That her ma-
 ' jesty being informed, that the people of Catalonia were
 ' inclined to cast off the yoke imposed upon them by the
 ' French;

French; and by withdrawing themselves from the power of the duke of Anjou, to return to the obedience of the house of Austria, was desirous to maintain and improve that good disposition in them; and, to induce them to put the same speedily in execution, had made choice of him to carry on so great a work, for the advantage of her service, and the good of the common cause. He is therefore ordered to repair to Genoa, Leghorn, or other such neutral country or place, as he should judge most proper for carrying on her majesty's service in this particular; and to treat with the Catalans, or any other people of Spain, about their coming into the interest of Charles the third of Spain, and joining with her majesty and her allies. For that purpose he is to inform himself, what number of forces they will raise, and what they expect shall be sent to assist them. If any of the nobility insist upon a sum of money to be advanced to them, he must assure them, he does not doubt but he shall be impowered to remit to them whatsoever is necessary and reasonable for their support, as soon as they are actually in the field. That he shall give the Catalans, or other Spaniards, assurances of her majesty's utmost endeavours to procure the establishment of all such rights and immunities, as they have formerly enjoyed under the house of Austria. That she has, for their further satisfaction, sent to king Charles the third, for powers for confirming the same to them; and that she is willing, if they insist on it, to give her guaranty, that it shall be done.

Mr Crowe had also a commission of the same date with his instructions, to treat with the Catalans upon the terms before-mentioned, upon this express condition on their side, that they should acknowledge and receive king Charles as lawful king of Spain, and utterly renounce the house of Bourbon.

He had, with this, credential letters signed by the queen, directed to the nobility, magistrates, and all officers, civil and military, of Catalonia, desiring them to depend upon the promises he should make them in her name.

The earl of Peterborough, and Sir Cloudefly Shovel, by their instructions, dated May 1, 1705, are likewise ordered to use their endeavours to induce the Catalans to join with them in their undertakings; and, to animate that people to prosecute their liberty with more vigour, they are impowered to assure them of the queen's support, and
to

THE HISTORY

to promise them, in the queen's name, that she will secure them a confirmation of their rights and privileges from the king of Spain, that they may be settled on a lasting foundation to them and their posterities. But, lest persuasions alone should not prevail, they are ordered, in case the Catalans make no suitable return to these kind offers, to annoy the towns on the coast of Spain, and to reduce them by force.

In conformity to these instructions, a declaration was drawn here, and delivered by Mr secretary Harley to the earl of Peterborough, for him to publish in Spain, full of assurances, in the queen's name, of support, and of their liberties on the one hand, and threats on the other; which declaration he, on his arrival in Spain, did accordingly publish.

The success of that expedition is well known. King Charles, in his letter to the queen, of October 22, 1705, gives an account of it, and what it was owing to, namely, 'The assurances of your majesty's generous protection, upon which my subjects of Catalonia expose their lives and fortunes.'

No want of fidelity or zeal for the common cause during a long war, which abounded with extraordinary turns of fortune, was ever objected to these people. On the contrary, they received to the last the applauses of the allies, and assurances repeated to them by every general and minister, who was sent from Great-Britain to that country, that they should never be abandoned.

When the queen entered into separate measures of peace, lord Lexington was sent ambassador to Spain; at which time, considering the circumstances of king Philip's affairs, and the obligations he had then received from the queen, the Catalan privileges, if plainly demanded and insisted upon, could not have been refused; and, without it, could never be expected to be granted to a people so remarkably zealous for the common cause.

But his instructions, instead of directing him to insist upon this, as a condition of the queen's coming into the peace, ordered him only to represent to the court of Spain, that it is no less for the king's interest, than for the queen's honour, that a general amnesty, without exception, be granted to all Spaniards, who have adhered to the house of Austria, and, in a particular manner, to the Catalans, with regard to their persons, estates, dignities, and privileges.

These

These instructions, though very defective, were not complied with: for lord Lexington, in the 11th article of his paper, which is called Demands, delivered to the court of Spain, upon his arrival there expresses himself thus: 'That the queen prays his catholick majesty, that a general amnesty, without exception, be granted;' but leaves out the words in his instructions, with regard to their persons, estates, dignities, and privileges.

The king's answer was, 'That the general amnesty, relating intirely to the general peace, was not proper for the present treaty; and therefore he leaves it to be then treated of: that his majesty will make use of his great clemency, provided the queen will contribute to the safety, to the repose, and to the interests of so many faithful subjects, who, according to their duty, had followed his righteous cause in Flanders, and in all the parts of Italy; and that an express article be inserted in the peace, wherein it shall be declared, That all subjects, who have done their duty, by adhering to his catholick majesty, shall be established in their estates and honours, of what nature soever they be, which they enjoyed, when they were under his obedience; and that they may mortgage, exchange, or sell, at their pleasure; and that they shall have full liberty to continue in the service of their king; and that neither upon this pretext, or any other whatsoever, they shall receive the least prejudice, or the least harm in their estates and honours, or any molestation whatever; and that any municipal law to the contrary (if there be any such) shall be made void by the treaty of peace.'

Lord Lexington transmits this answer to England, which, though containing a direct refusal at present of what was desired, and only general assurances of clemency from the king, on conditions, that could not possibly be expected to be complied with; yet his lordship, in his letter to lord Dartmouth, writes word, That the 11th article (which is this about the Catalans) was agreed to; and thinks, what they desire is but justice; and then goes on, 'Thus, my lord, I have finished my negotiation in the best manner I could, and hope it will be to her majesty's satisfaction.'

No dissatisfaction was shewn by the ministry in England, either with this manner of negotiating, or the fruitlessness of it; but the lord Lexington is ordered to proceed in the business, both as it was an act of humanity, which every one,

one, to the utmost of their power, ought to promote; and that the interest of the king of Spain was most nearly concerned by that means, to get the Germans out of the country.

Hereupon another memorial for an amnesty is presented: the motive used to induce the king to grant it, is his own interest, and to remove the Germans, without any notice taken of the queen's honour being concerned in the affair.

The king answered, ' That the Catalans had deserved little from him: that they were now reduced to a small extent of ground, by the withdrawing of the troops of Britain and Portugal: that his troops, and those of the king his grandfather, were entering into their country by three several ways: therefore, more in complaisance to the queen, than for the arguments that had been offered, he was willing to grant his pardon to those Catalans, who acknowledged his clemency, and repenting them of their error, should submit to his dominion and vassalage within a time to be prefixed.'

Count Zinzendorf, in the project for evacuating Catalonia, insisted upon the preserving the people their privileges. But the king of Spain refused it, and would only grant them an amnesty and pardon.

Lord Dartmouth, in his letters both to the marquis de Monteleone and lord Lexington, says, ' He cannot express the queen's surprize to hear, that the privileges of the Catalans were not intended to be preserved to them by the court of Spain: that these privileges were necessarily included in the meaning of a general amnesty already granted. And this was an affair, wherein the queen's honour was extremely concerned, and that she was obliged by motives of conscience not to depart from it.' Lord Lexington is hereupon ordered to insist again upon it in the strongest manner imaginable; that when the king of Spain is convinced of her majesty's steadiness, and the firmness of her resolution to adhere to this demand, no doubt he will yield to what has been so solemnly promised, and is in itself so reasonable. That the marquis de Monteleone, being restrained by his instructions from treating upon this point, the negotiating of it must intirely lie upon lord Lexington.

Accordingly, his lordship presents another memorial for a general amnesty, with the confirmation of all their privileges. The amnesty he says was granted; but the privileges intirely refused, and in such a positive stile, as he never

the time she concluded her peace with Spain, she resolved to use her interposition upon every occasion, for obtaining those liberties, and to prevent, if possible, the misfortunes, to which that people are exposed by the conduct of those more nearly concerned to help them.'

Hereupon, for form's sake, and to allay the indignation conceived against the ministry by the people in general, who compassionated the calamities of those, who fought for liberty; the demand of the Catalan privileges is again put down in lord Bingley's instruction, who was before ordered to go to Spain, but was never sent. So that the only favour obtained from the ministry by this earnest address of the house of lords in behalf of the Catalans, was an intimation sent by lord Bolingbroke to the admiral, not to appear before Barcelona, nor to attack the Majorcans, till he should hear from lord Bingley, and receive directions from England: and also a letter from his lordship to Mr Grimaldo, above two months after the address, though the town was invested at the time of making it, wherein he makes a kind and friendly complaint, as he terms it, that the Catalan privileges had not been yet granted them, nor any reasonable terms offered, which they must either have accepted, or forfeited the queen's compassion, and that of the whole world.

The admiral had also his scruples, whether his orders, couched in ambiguous terms, would justify him in attacking Barcelona. He therefore writes to lord Bolingbroke and lord Bingley upon it, and submits it to lord Bingley's consideration, whether the Catalans might not refuse conditions, that may be most advantageous, if they find he is not to act by force; and desires, that his orders to act before Barcelona, either by force or otherwise, may be very plain and clear; assuring him, that he will most punctually obey those already given him, and such as he shall hereafter receive.

When Sir James Wilsart arrived at Cadiz, he gave the governor a list of the ships under his command for the Mediterranean service, who sent it immediately to Madrid: but though several messages came from court to the governor during the admiral's stay there, no one compliment was made him, to signify his arrival was welcome, or any question asked about what services he was to perform; which a little surprized him: that as soon as they had an account at Madrid of his arrival at Cadiz, Mr Orry was dispatched to Catalonia with full power to treat

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with the Catalans: 'So that, says he, it would appear, that though the king of Spain has all the advantages of the queen's ships, as much as if they were actually before Barcelona, by representing to those people, which they very well knew, our arrival in those parts, and how far we are on our way to the Mediterranean; yet the king would not seem to owe the success of such agreement to the queen and her ships, but to France only.'

But this negotiation of Mr Orry failing of success, by the Catalans refusing to submit, without having their liberties granted them, obliged the court of Spain to take more notice, than otherwise they were inclined to do, of the admiral, who, from Alicant, writes to lord Bingley, then expected at Madrid, That he had received a very civil letter from Mr Grimaldo, who sent him the king's orders for exempting the provisions for the fleet from paying any duty. He tells him, that this exemption was usually granted to the admiral himself, that commanded; but being a trifle, he submits it to his lordship's better judgment, whether the granting him this might not be a means to prevent any thing, that might be intended by the court of Madrid more to his advantage; and leaves it to his lordship's consideration, what may be most for his interest at that place; and hopes, by his friendship, to find some marks of favour from thence, in regard to his expence in this expedition, so much intended for their service, and for which he has no allowance from home but his pay, which will not defray half his charges:

In another letter of Sir James Wishart to lord Bingley, he acquaints his lordship, that though he had formerly desired him to move the king of Spain, that the grant of exemption of duties for provisions for the fleet might be made to himself; yet, upon farther consideration of the matter, which is but of small moment, and may appear greater at the court of Spain and England than really it is, he desires his excellency not to take any notice of it, but let it stand as it does; and desires his countenance and assistance upon any other occasion, that the court of Madrid might take to express their good-will to him. Nor was it long before the admiral gave the court of Spain more particular proofs, that he was not unworthy of their expected favours.

After Barcelona had been invested a considerable time by the Spaniards, and reduced to great difficulties for want of provisions, the French king, though engaged with the queen

Mr Burch, his lordship's secretary, amongst other reasons, gives this for the writing this letter, That if the Catalans had a mind to accommodate, the queen would have the mediation, and if they had not, that then the court of Spain would see, that her majesty would be always ready to serve them.

But this artifice to induce the Catalans to abandon their defence, in hopes of his lordship's good offices, had no effect upon men determined to die for the liberty of their country. Nothing but force could extort that from them; and therefore Sir Patrick Lawless, in September 1713, presents a memorial to the same effect, with what was proposed the month before to lord Lexington in Spain, setting forth, that the Catalans and Majorcans had not submitted themselves to the king's obedience, and interrupted all commerce and correspondence in the Mediterranean; and submits it to the consideration of the queen, not only as guarantee of the treaty of evacuation, but as it concerned the interests of Great-Britain; and therefore his catholic majesty hopes, the queen will order a squadron of her ships to reduce his subjects to their obedience; and thereby compleat the tranquillity of Spain and of the Mediterranean commerce.

As soon as the season of the year would permit, a fleet is accordingly fitted out for the Mediterranean under the command of Sir James Wishart, whose first instructions bear date the 28th of February, and the additional 18th of March 1713-14; by which he is ordered to enforce a strict obedience of the treaty of evacuation in all its parts, upon any complaints of the queen's subjects, of interrupting of commerce or depredations by the vessels of Catalonia, Majorca, Sardinia, Naples, and other places, to demand restitution; and, in case of a refusal, to make reprisals: to repair with the fleet before Barcelona, then besieged by the enemy, and demand immediate payment of the value of the queen's stores in the town, or a sufficient security for payment in some reasonable time: to take care to time his arrival before the town, according to the advices from lord Bingley, then designed to be sent to Spain: by the strongest representations to induce the regency of Barcelona to accept of the terms, that shall be obtained for them: to take all the necessary measures, pursuant to the queen's intentions, to put an end to the confusions, that now reign in those parts: and all proper methods of persuasion to induce the inhabitants of Majorca to submit to the terms that

shall be offered them; and, in case of refusal, to employ his squadron in countenancing and assisting all attempts, which may be made for reducing them to a due obedience.

It may be observed here,

1. That although the queen had engaged herself by the treaty of evacuation, to employ her good offices in the most effectual manner, to obtain the Catalans their liberties; yet instead thereof, the most effectual methods were used to the contrary; and Mr Prior acquainted monsieur de Torcy, that the queen was assured, the Catalans would submit upon the terms before offered by the king of Spain, without so much as mentioning their ancient privileges any more.

2. That the French king, who had put himself under the same obligations as the queen by that treaty, after this account from Mr Prior of the queen's sentiments, thought fit also not to ask for their privileges; Mr de Torcy also alledging, that the king had little interest with the court of Spain.

3. That Britain was under the same engagements by that treaty, to support the privileges of Majorca, as those of Catalonia, at the time Sir James Wisbart had direct orders to attack them.

4. That when those rigorous measures were forming against the Catalans, lord Bolingbroke writes word to Mr Prior, 'That by what we observe in the Catalan agent here, of whom we have never taken the least notice as a publick man, it is pretty plain, that a reasonable accommodation might be made, as he expresses it, with that turbulent people.' What was called turbulence in the Catalans, may appear by their answer to the duke of Popoli, the king of Spain's general, who summoned them to surrender. They told him, they would die rather than be slaves; but if their antient liberties were confirmed to them, they would open their gates, and receive him with all gladness.

The house of lords expressed their concern in a publick manner for the miseries of the Catalans; and by their address to the queen, April 3, 1714, made it their most humble and earnest request to her majesty, 'That she would be graciously pleased to continue her interposition in the most pressing manner, that the Catalans may have the full enjoyment of their just and antient privileges continued to them.' Her majesty's answer was, 'That at

ation in Spain was kept up, till our treaty of peace with that crown was ripe, by which the Catalan liberties were to be abandoned. This lord Lexington signed, contenting himself with protesting against that article at the same time he signed it, as he had writ word before he intended to do; and that therefore the queen was intirely at liberty to reject it. Notwithstanding the king of Spain's former refusal, lord Lexington is again directed to insist upon the Catalan privileges, and is again told, that the queen thought herself obliged by the strongest ties, those of honour and conscience, to insist upon it, for a people, whom the necessity of the war had obliged her to draw into her interest. His lordship had signed the treaty with Spain before these orders to present another memorial arrived. He thereupon acquaints the marquis of Bedmar, that he was sorry he was obliged to do any thing, which he knew was against the king's sentiments, but having received express orders, he must follow his duty, and presents the following memorial:

'The under-written minister of the queen of Great-Britain, in pursuance of the strict orders he received the last post, is obliged most humbly to renew the instances he has so frequently made to your majesty in favour of the Catalans. The queen orders him to represent, that she has nothing more at heart, than to obtain for these people the same privileges they formerly enjoyed, which she thinks herself obliged to do by the two strongest motives, that are possible, honour and conscience, that she may not leave a nation, which the misfortune of war obliged her to draw into her interest, in a worse condition than she found them. She hopes, that after all the pains she has taken for procuring a solid and lasting peace to Europe, your majesty will not leave her with the grief of having been the occasion of the loss of the privileges of that people, but rather, that in respect to the strict friendship, which with God's blessing is so near being established between your majesties, as well as the union so necessary to the interests of both nations, your majesty will not make any difficulty any longer, to grant this favour to her majesty, which she has so much at heart.'

The marquis de Bedmar's answer to this memorial was, That this point about the Catalans having been debated in the treaty lately concluded, and signed in this court by his excellency and himself, which his excellency will own, and may be pleased to acknowledge, the king does not see, that any thing farther is to be done in the matter.

This treaty was sent to England, and ratified by the queen. Lord Dartmouth says, in his letter to lord Lexington, that lord Bolingbroke had the principal share in the negotiation; and that the article of the Catalans was put in as soft terms, as was consistent with the queen's honour to allow.

The terms of the treaty are, That the Catalans shall have the same privileges as the king's best beloved subjects the Castilians enjoy.

When the king of Spain had received this convincing proof of our ministry's attachment to his interests, and that the ties of the queen's honour and conscience were of no force with them, when opposed to his desires, he takes a further step, and directly proposes to lord Lexington, that the queen would assist him with ships to block up Barcelona. His lordship's answer was, That he was afraid this proposal would meet with this difficulty, That her majesty would be very unwilling to lend her ships to exterminate a people, that had taken up arms, in a great measure, at the instigation of her ministers: and that she would think she had done enough to gratify the king, in not insisting upon the preserving for them their antient liberties, without helping to destroy them. But the regard the ministry had to this request of the king, will afterwards appear.

The French ambassador and the princess des Ursins, proposed to lord Lexington (and the night before he left Madrid, the king sent for him, and engaged him) to write a letter, concerted with him, and approved by the king, to the regency of Barcelona, advising them to submit themselves to their king. His lordship assures them of his constant endeavours to do the best he could for them: that God had not permitted him to do more than he had done: that if they would take their resolutions soon, before he was out of Spain, he would write for them in the manner they should desire: and concludes his letter with new assurances of his concern for their interest.

To make this appear the more friendly to them, he tells them, he had intrusted the consul at Alicant to get this letter conveyed to them, upon some pretence or other; though a duplicate of it was also sent to the count of Lecheraine, one of the king of Spain's generals, before the town, with direction to have it sent in as by a deserter, without his knowledge.

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never met with, but in demanding a track of ground about Gibraltar.

In another letter to lord Dartmouth, speaking of the many denials he met with in Spain, he says, ' Things are not here upon the same foot, as they were before the suspension; for the king told me these words, We know, that the peace is as necessary for you as for us, and that you will not break it off for a trifle.'

It may seem, at first sight, unaccountable how the queen's endeavours could fail of success, when she declared her conscience was concerned in this matter; and that though she desired a peace, she would not act inconsistently with honour and justice to obtain it.

The first fatal step to the ruin of the Catalans was the orders sent lord Lexington (contrary to his first instructions) upon his arrival at Madrid, to acknowledge Philip as king of Spain in a private audience, before any one article of peace or commerce was settled, which put him in a condition of refusing this, and whatever else he should think fit.

The manner how Spain gained this important point, appears to be as follows: lord Dartmouth had acquainted Mr Prior, that lord Lexington was not to acknowledge Philip king of Spain, till he had agreed to the demands his lordship was to make in the queen's name. However, lord Dartmouth thinks it convenient, that the sentiments of the French court should be known upon this matter as soon as possible.

This method of proceeding with Spain was very much disliked in France; and Mr Prior writes lord Dartmouth a very elaborate letter, full of Mr de Torcy's reasons, to induce the English ministry to recede from that point, and concludes with this remarkable one, ' That the whole treaty being eventual, this acknowledgment of Philip as king of Spain, would fall, as the other points, unless the conditions were made good, and the peace agreed and ratified.'

Hereupon the lord Bolingbroke determines this matter in favour of Spain, by imputing the former directions to lord Dartmouth's mistaking the queen's meaning, and writes Mr Prior word, that he was equally surprized and vexed to find, by the uncouth way of explaining the queen's sense, that Mr Prior had been led to imagine, it was intended lord Lexington should make any difficulty of acknowledging the king of Spain as such. ' The proceeding this way, by acknowledging the king in the first place (says

‘ his lordship) seems natural, civil, and unexceptionable; but any other scheme is absurd and inconsistent with all the rest of our proceedings:’ and he then concludes, ‘ For God’s sake, dear Matt, hide the nakedness of thy country, and give the best turn thy fertile brain will furnish thee with, to the blunders of thy countrymen, who are not much better politicians, than the French are poets.’

Lord Dartmouth, it seems, thought fit to acquiesce, and, the same day that this letter was writ, dispatched orders to lord Lexington, to acknowledge king Philip in the first place, notwithstanding his former instructions to the contrary.

But to return to the Catalans: the ministers did not shew that zeal for the queen’s honour, as might be expected, but plainly gave up this matter. Lord Bolingbroke, in his letter to the queen’s plenipotentiaries at Utrecht, tells them, ‘ It is not for the interest of England to preserve the Catalan liberties; and likewise begs leave to make an observation to them, that the Catalan privileges are the power of the purse and sword; but that the Castilian privileges, which the king of Spain will give them (in exchange for the Catalan) are the liberty of trading and resorting to the West-Indies, and a capacity of holding those beneficial employments the king has to bestow in America, which (says his lordship) are of infinitely greater value to those, who intend to live in a due subjection to authority.’

Lord Lexington also, instead of supporting the Catalan privileges, treated the people as rebels; and to induce Spain to make peace with Portugal, puts monsieur Orry in mind of the necessity Spain is in of withdrawing their troops from Andalusia, in order to end the rebellion of the Catalans.

When the convention was forced upon the emperor for evacuating Catalonia, the imperial ministers at Utrecht insisted upon the preserving, by that treaty, the privileges of Catalonia, Majorca, and Yvica. But France and her confederates insisting, that this matter should be referred to the peace, the imperial ministers at last acquiesced, upon the queen of Great-Britain’s declaring again, ‘ That she would interpose her good offices in the most effectual manner, to obtain the privileges of Catalonia, Majorca, and Yvica:’ and the French king engaged, at the same time, to join his endeavours for that purpose. Hereupon, the negoti-
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times against lord Dartmouth, sometimes against lady Masham, and sometimes against the treasurer himself.

The second session of the last parliament began December the 7th, 1711.

This was attended with great difficulties and dangers, as well from the practices of the discontented here, as the designs carried on by Mr Buys, prince Eugene, and Bothmer; in which designs concurred the emperor and other states and princes who gained by the war.

This put her majesty under a sort of necessity to preserve the whole, and to take a method which had been used, to create some new peers.

So many having been brought formerly out of the house of commons, of those who used to manage publick affairs, it was proposed to Mr secretary, that if he would be contented to stay in the house of commons that sessions, her majesty would have the goodness to create him a peer, and that he should not lose his rank.

The second session ended the 21st of June, 1712, and notwithstanding Bothmer's memorial, and all other attacks both from abroad and at home, supplies were provided, and every thing relating to the publick put upon a good foot, and the malecontents began to despair, as appeared by the duke of Marlborough's retiring abroad, and other particulars.

After the session was ended, the queen, as she had promised, ordered a warrant for Mr secretary St John, to be a viscount: this happened to put him in the utmost rage against the treasurer, lady Masham, and without sparing the greatest.

It did avail very little to tell him how much he had got in place; for had he been created with the other lords, it would have fallen to his share to have come next after lord Trevor: but the treasurer, with great patience, bore all the storm, of which lord Masham was often a witness of the outrageous speeches; and Mr Moore very lately told the treasurer, that lord Bolingbroke said very lately to him, that he owed him a revenge upon that head.

This discontent continued, until there happened an opportunity of sending him to France; of which there was not much occasion: but it was hoped, that this would have put him in good humour; which it did, until in October 1712, there were knights of the garter made. This created a new disturbance, which is too well remembered, and breaks out now very often in outrageous expressions publicly against all then made.

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In November, on the death of duke Hamilton, he was much against duke Shrewsbury's going, for reasons very plain, which then were in negotiation: for before the last session of that parliament began, a new model was framed, or a scheme of ministry; which how they afterwards came to fall out, will appear in its due place.

The third and last session began April the 9th, 1713; which was as soon as the peace was concluded, and could be proclaimed.

It is not decent to take notice, 'That during this whole negotiation, the treasurer was obliged, by his own hand, and his own charge, to correspondent in all the courts concerned in the negotiation; and very often he had the good luck to set right several mistakes, and to obtain some things very little expected: but the only merit of this belongs to her majesty, the credit of whose favour brought it about, and gave power to the treasurer to act with success.'

During this session, the lords of the cabinet, and others, met every Saturday at the treasurer's, in order to carry on the queen's business, as they had done the year before on Thursdays. Many offers were made, and repeated by the treasurer, in order to attack former offenders, and quiet the minds of the gentlemen, and of the church-party; and the only reason for this failing, was, because of the project laid for their new scheme, and putting themselves at the head, as they called it, of the church-party.

This being the last session of parliament, and some gentlemen fearing their elections, and some for other reasons, dropt the bill of commerce.

The treasurer saw this opportunity, and immediately took it, and prevailed with Sir Thomas Hanmer, and others, to come into the payment of the civil list debts, incurred before the change of the treasury, though the present treasurer was railed at, and maligned: which he chose to bear patiently, rather than own the true reason, that there was no money to do it with, which would have ruined all at once.

This step of paying the debts, put the malecontented into the utmost rage, which they did very publicly express in both houses.

This last session of that parliament, and the third since the change of the ministry, ended July the 16th, 1713.

The peace with France being over, and it growing necessary to put her majesty's affairs into a further and more settled

difficulties; it being impossible, as well as unavoidable; to make removes, but by degrees.

As soon as it was possible (and notwithstanding the clamours then raised, it was the only proper time) a new parliament is called.

Its first meeting was November 27, 1710. Robert Harley had prepared the funds ready (before the parliament met, as he had done every session to this day) not only for the current service of the year, both by sea and land, but also for easing the nation of above nine millions of debt. This was thought so chimerical, when Robert Harley did begin to open it, that it was treated with ridicule, until he shewed how practicable it was. It is true, this gave great reputation abroad, and enabled to treat advantageously of a peace. It raised sinking credit at home; but, at the same time, as it drew envy upon Harley from some, and the rage of others, so it gave offence to some of his fellow servants, who told him plainly, that he ought to have told his secret, and if he would not get money himself, he ought to have let his friends share a hundred thousand pounds, which would not have been felt, or found out, in so vast a sum as nine or ten millions.

To this principle was owing the setting on foot at this time the unhappy voyage to Canada; to all which meetings Harley avoided coming, and gave lord Rochester his reasons; and after he desired his lordship to be a means to the queen, to hinder that expedition, but it happened to be too late. But lady Masham knows how much Harley was concerned at it, though he did not know the true spring of that voyage, which will appear after in this paper.

The beginning of February, 1710-11, there began to be a division among those called Tories in the House, and Mr secretary St John thought it convenient to be lifting a separate party for himself.

To prevent this, lord Rochester and Harley desired to have a meeting, and to cool such rash attempts; and it was contrived Mr secretary St John should invite us to dinner (which was the last time he ever invited Robert Harley, being now above three years) where was the duke of Shrewsbury, earl Powlet, lord Rochester, and others; and lord Rochester took the pains to calm the spirit of division and ambition.

Harley was at this time seized by a violent fever; and on his first coming abroad, March 8, met with a misfortune which confined him many weeks. The transactions during

during that time, are too publick, as well as too black for Harley to remember or to mention.

In the end of May, 1711, the queen, out of her unbounded goodness, was pleased to confer undeserved honours on Robert Harley; and, on the 29th of the same month, was pleased to put the treasurer's staff into his hands: a post so much above Harley's abilities to struggle with, that he had nothing but integrity and duty to recommend him to her majesty's choice; so he must have recourse to her majesty's transcendent goodness and mercy to pardon all his faults and failings, both of omission and commission, during the whole course of his service.

But to return and resume the thread of this discourse. The 4th of June 1711, three days after the treasurer was sworn, he was surprized with a demand of twenty-eight thousand thirty-six pounds and five shillings, for arms and merchandize, said to be sent to Canada. When the treasurer scrupled this, Mr secretary St John and Mr Moore came to him with much passion upon this affair; and, about a fortnight after, the secretary of State signified the queen's positive pleasure to have that money paid: and accordingly her majesty signed a warrant, June 21, and the treasurer not being able then, with all his precaution, to discover further light, the money was paid, July 4th, 1711.

Since the return from that expedition, the secret is discovered, and the treasurer's suspicion justified: for the publick was cheated of above twenty thousand pounds.

There is reason to be more particular upon this head, because it is one of the things never to be forgiven the treasurer; and lord-chancellor told him more to that purpose, that they told him no government was worth serving, that would not let them make those advantages, and get such jobs.

One thing more is craved leave to be added, that the treasurer was forced to use all his skill and credit to keep the house of commons from examining this affair last parliament.

June the 12, 1712, the first session of last parliament ended.

From this time, to the beginning of the next session, 'The treasurer's hands were full of negotiating the peace in all courts abroad;' and besides the ordinary and necessary duty of his office at home, he had frequent occasions of calming the quarrels and grudges Mr secretary had some-
times

‘them: that if Catalonia has merited any thing by its services, and by its conjunction with the English nation, that is the time to receive the fruits of it: that it is worthy of his excellency to comfort the afflicted, and not to deny them this favour in their great necessity.’

How the admiral was affected with this letter, appears by one of his to lord Bingley, dated Aug. 7, 1714, wherein he acquaints him, ‘That Mr Grimaldo had signified to him from the king of Spain, that all the king’s ships of war being employed before Barcelona, his majesty could not send any of them to meet his flota then coming home; and therefore desired the admiral to send three of his upon that service;’ which was accordingly complied with. Of this he had acquainted lord Bolingbroke, and hoped to meet with her majesty’s approbation.

The Catalans thus abandoned and given up to their enemies, contrary to faith and honour, were not however wanting to their own defence; but appealing to heaven, and hanging up at the high altar the queen’s solemn declaration to protect them, underwent the utmost miseries of a siege; during which multitudes perished by famine and the sword, many were afterwards executed, and many persons of figure were dispersed about the Spanish dominions in dungeons.

III. The lord Oxford’s letter to the queen, June 9, 1714.

May it please your majesty,

I Presume, in obedience to your royal command, to lay before your majesty a state of your affairs. Though I have very much contracted it from the draught I made, and the vouchers from whence it is taken, yet I find it swell under my pen in transcribing, being willing to put every thing before your majesty in the clearest light my poor understanding can attain to. It was necessary to lay it before your majesty in the series of time, from the beginning to this present time; and when that is compleatly laid before you, it remains only for me to beg God to direct your majesty.

And as to myself, do with me what you please; place me either as a figure, or a cypher; displace me, or replace me,

me, as that best serves your majesty's occasions, you shall ever find me, with the utmost devotion, and without any reserve,

MADAM,

Your most dutiful, most faithful,
most humble, most obedient subject,
and unworthy servant,

OXFORD.

A brief account of publick affairs, since Aug. 8, 1710, to this present 8th of June, 1714. To which is added, the state of affairs abroad, as they relate to this kingdom; with some humble proposals for securing the future tranquillity of her majesty's reign, and the safety of her kingdoms.

Her majesty, on the 8th of August 1710, was pleased to alter her treasury, and two days after in a new commission, Robert Harley, by her majesty's great favour, was made chancellor of the exchequer.

The state of affairs at home and abroad are fresh in every one's memory.

The condition of the treasury at that time was laid before her majesty in a large representation.

I beg leave to touch some few heads: the army was in the field, no money in the treasury; none of the remitters would contract again; the bank had refused to lend a hundred thousand pounds to lord Godolphin, on very good security: the navy and other branches of service, eleven millions in debt, which enhanced the price of every thing proportionably; the civil list in debt about six hundred thousand pounds; and the yearly income too little for the current certain expence, by the lowest computation, one hundred twenty-four thousand, four hundred ninety-five pounds, two shillings and four-pence.

In a few days this new commission made provision for paying the army, by the greatest remittance that had ever been known: though the opposition from every office, which was full of persons who were enemies to the change made by the queen, was very strong, and very troublesome and vexatious: and such was the situation of affairs, that nothing but great patience could ever have overcome these dif-

queen by the treaty of evacuation, to employ his good offices in the most effectual manner, in favour of the Catalan liberties, thought fit to send his troops against them, commanded by marshal Berwick, who opened the trenches before Barcelona the 1st of July O. S. 1714. And, on the 8th of the same month, Sir James Wishart, in the queen's name, writ them a threatening letter, directed to the deputies, and others, who possessed the government there, telling them, that complaints had been made of their disturbing the commerce of the queen's subjects; and that they had insolently presumed to take, carry up, and plunder their ships, and used the men in a barbarous manner: He had therefore thought fit to send captain Gordon with two men of war, to represent to them these unwarrantable and presumptuous proceedings; and by the queen's command demands immediate satisfaction for the same, and the punishment of the officers of the ships with the utmost severity. If this be not punctually complied with, he leaves it to themselves to judge what the consequences may be.

The deputies returned answer, ' That only one of those vessels mentioned in captain Gordon's memorial, was taken by them into Barcelona, being laden with salt, for which they paid the price immediately to the captain of it: that being besieged, they thought they might do so with justice, and by the law of nations: that they were so far from living like pirates, as their enemies suggested, in order to distress them, by preventing any one's coming with provisions for their relief: that what English vessels had entered their ports with provisions had been well treated, and had freely sold their merchandize, and at a higher price, than they could have got any where else: that they had paid them with their best sort of money, and to all their satisfactions: that they had that day published an order, forbidding, upon pain of death, any of their ships to molest any English, even though they were going with provisions to the enemy. They hoped his excellency will be satisfied with their conduct, which is conformable to the rights of people, that are besieged; assuring him, that when they know any of their ships, either with commission, or without, that shall have caused the least damage to any English, they will not only immediately inflict a rigorous punishment, but repair all the damage, desiring to live in the good correspondence they have had with his noble and generous nation, with the

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‘ utmost deference for the queen, and ready to obey his
 ‘ excellency’s orders with all affection and respect.’

The government of Barcelona, in their extremity, writ
 another letter to the admiral, dated July 23, setting forth,
 ‘ That his excellency very well knew, that the engage-
 ‘ ment Catalonia entered into to receive Charles the Third
 ‘ for their king, was founded on the protection of the high
 ‘ allies, but most particularly of England, without which
 ‘ they were not capable of undertaking so great an enter-
 ‘ prize. That they had, for seven years together, endea-
 ‘ voured to serve the English nation in every thing it was
 ‘ possible for them to do, by contributing troops and con-
 ‘ siderable sums of money without interest. And though
 ‘ they had pleased themselves with the thoughts of the hap-
 ‘ piness to be always subjects of Charles III. yet by the
 ‘ ordinary change, to which human affairs are liable, they
 ‘ now see the troops of the duke of Anjou, aided by the
 ‘ French, masters of all the principality, except Barcelona
 ‘ and Cardona, committing through the whole the most
 ‘ execrable hostilities, burnings, and plunderings, without
 ‘ sparing the effusion of innocent blood, and without dis-
 ‘ tinction of age or sex. That for a year together the ene-
 ‘ my’s army had oppressed Barcelona by sea and land,
 ‘ making them continually suffer the calamity of so long a
 ‘ blockade, during which time the enemies have thrown
 ‘ fourteen thousand bombs into the town; which have
 ‘ ruined the greatest part of the houses: that now they
 ‘ expect to be attacked in form, and that in twenty-four
 ‘ hours the town will be battered in breach. They can-
 ‘ not express their affliction, to see the danger of the in-
 ‘ habitants exposed to be victims of that cruelty, with
 ‘ which the enemy threatens to treat them. Having no
 ‘ comfort left, they fly to the queen of Great-Britain, be-
 ‘ seeching her protection by the inclosed letter to Don
 ‘ Dalmaſes, their envoy at London; and, in the mean
 ‘ time, till an answer can come, they beseech his excel-
 ‘ lency from their souls, to mediate with the French troops,
 ‘ who oppressed them, for a suspension of arms, since the
 ‘ congress at Baden, now sitting, to conclude of a general
 ‘ peace, may still determine this affair: they doubt not,
 ‘ that his mediation will be able to procure them this re-
 ‘ lief, since his squadron is superior to that of the enemy.
 ‘ They see no other remedy in nature for their misfor-
 ‘ tunes; and therefore hope his excellency will not refuse
 ‘ them;

settled regulation, and to ease the treasurer of the burden, as well as envy, of such a bulk of business: her majesty was pleased to approve of the scheme of the duke of Ormond's staying here to attend the army-affairs, which was necessary at the time of disbanding; duke Shrewsbury to go to Ireland, upon his return from France; lord Findlater to be chancellor of Scotland; lord Mar third secretary; lord Dartmouth privy-seal, and Mr Bromley secretary of state, and Sir William Wyndham chancellor of the Exchequer. I am sure the queen very well remembers the rage this caused, as perfectly defeating their scheme, and shewing that her majesty would put her affairs upon a solid foot: the lord-chancellor said it was against law, and to this day will not treat lord Findlater with decency; and lord Mar has met with many ill treatments, as well as Mr secretary Bromley.

But that the treasurer might leave them without excuse, and make her majesty's affairs, if possible, easy with and to those in her service; as soon as he was recovered enough to write, he wrote a large letter to lord Bolingbroke, containing his scheme of the queen's affairs, and what was necessary for lord Bolingbroke to do, as belonging only to his province. This letter was dated July the 25th, 1713, and was answered July the 27th, by lord Bolingbroke; and the copy was shown to lady Masham, who came to visit the treasurer then confined to his chamber; and she then thought it a very good one, and what was proper for the occasion. I believe the whole would be of use to give light to her majesty into the ground and foundation of the follies and madness which have since appeared; the whole is ready for her majesty's perusal when she pleases.

In this letter the treasurer gives an account to lord Bolingbroke of the occasions, or rather the pretences for giving disturbance to the queen's servants. He proposes the remedy, and what was requisite to be done by him as secretary in his own province, and also assurance of the treasurer's assistance to the utmost, and of his desire to consult with him [lord Bolingbroke] how to unite the rest of our friends.

Being then sick, the treasurer took the liberty to put lord Bolingbroke in mind of the several particulars which then required dispatch, and were solely belonging to his province, without any other interposition than that of taking your majesty's direction.

THE HISTORY

Amongst others, that of a circular letter upon the addressees of both houses, relating to the pretender.

This was not done in three months, His lordship wrote word it was done July the 27th.

In the same letter the treasurer proposed, that (according to the treaty of peace) care should be taken of the following particulars, viz. Newfoundland, Hudson's Bay, Acadia, St Christopher's, Affiento, and other things contained in the treaties of commerce.

These particulars the treasurer thought to have been executed, until within a few weeks he heard the contrary by accident, and that the time in the several treaties was elapsed. Upon this, the treasurer on Wednesday, June the 2d, told Mr Moor of this, and that every body would be liable to blame who are in the queen's service. Thursday, June the 3d, 1714, lord Bolingbroke writes to the treasurer a letter, which begins thus:

"Mr Moor has been this morning with me, and has put into my hands a paper, which he calls, I think not improperly, a charge upon me."

This paper contains the neglect above-mentioned in the treasurer's letter of July the 25th, 1713, and yet those faults are now charged upon the treasurer.

From this account it is observable, that the earl of Oxford took to himself the credit of corresponding with his own hand, and at his own charge, and in all the courts concerned in the negotiations of peace, and that very often he had the good luck to set right several mistakes, and obtain some things little expected: that he boasted of his lying hold of a seasonable opportunity in parliament, upon rejecting the bill of commerce, to prevail with members of the house of commons to come into the payment of the civil list debts; and also charged several persons, then in high stations, with corruption, and imbezzlement of the publick money; and recommended himself to the queen, by having used all his skill and credit to keep the house of commons from examining into the same. The committee of secrecy having received information, that large sums of money had been directed 'for special services relating to the war,' by signs manual, and warrants upon the same, countersigned by the earl, which were afterwards paid to his order, the committee thought it incumbent upon them to lay before the house copies of these signs manual and warrants, and orders thereupon, to-

gether with extracts from the register of the Exchequer, by which it appeared, that these large sums issued for the service of the war, were received and applied 'to the earl's private use.'

IV. A letter from the States-general to the queen of Great-Britain, &c. dated Hague, June 5, 1712.
N. S.

MADAM,

AFTER all the proofs which your majesty has given during the course of your glorious reign, of your great zeal for the publick good, and of your adherence to the common cause of the high allies; after so many marks you have had the goodness to give us, of your tender affection, and of your friendship to our republick; and after the repeated assurances you have given us, and that very lately too, of your intentions, that your troops should act against the common enemy, until the war was concluded by a general peace: it is impossible we should not be surprized and afflicted by two declarations we have lately received, one after another, in the name of your majesty; the first by the duke of Ormond your general, that 'he could undertake nothing without new orders from you;' the other by the bishop of Bristol, your plenipotentiary to the congress at Utrecht, 'That your majesty perceiving that we did not answer as we ought, the proposals which you had made us, and that we would not act in concert with your ministers on the subject of peace, you would take your measures apart: and that you did not look upon yourself to be now under any obligation whatever, with respect to us.'

As soon as we had notice of those declarations, we sent orders to our minister, who has the honour to reside at your majesty's court, to represent to you the reasons of our surprize, and the consequences of those declarations; and to request you with that respect which we always had, and which we shall for ever entertain for your royal person, that you would give other orders to the duke of Ormond, that he may act with all possible vigour, according to the exigency of the war; and that your majesty would have the goodness to entertain other sentiments of us, than those which the bishop of Bristol had declared to our plenipotentiaries at Utrecht.

But the more we consider those declarations, the more important we find them, and the more we apprehend their consequences: therefore we could not forbear applying ourselves by this letter directly to your majesty, hoping that you will consider it, as we promise ourselves you will, both from your great prudence and wisdom, and from your so much famed zeal for the publick welfare; particularly from your usual friendship and affection for us and our republick.

We protest before all things, that as we ever had a true friendship, as well as the highest respect for your majesty, and a sincere affection to all your interests, with an earnest desire to live in a perfect good understanding and union with you; we have still the same sentiments, and shall always preserve them, wishing for nothing more, than to be able to give your majesty the most convincing proofs of it.

After this, we pray your majesty to consider, according to your great penetration, whether we have not just ground to be surprized, when we see a stop put, by an order in your majesty's name, without our knowledge, to the operations of the confederate army, the finest and strongest which perhaps has been in the field during the whole course of the war, and provided with all necessaries to act with vigour; and this, after they had marched, according to the resolution taken in concert with your majesty's general, almost up to the enemy, with a great superiority, both as to the number and goodness of troops, and animated with a noble courage and zeal to acquit themselves bravely; so that, in all human appearance, and with the divine assistance, which we have experienced so visibly on so many other occasions, we should have been able, either by battle or sieges, to gain great advantages over the enemy, to have bettered the affairs of the allies, and to facilitate the negotiations of peace.

We flatter ourselves indeed with the hopes, which the duke of Ormond has given us, That in a few days he expects other orders; but in the mean time, we are sorry to see one of the finest opportunities lost, being uncertain whether we shall have another so favourable, since the enemy have time given them to fortify themselves, and take their precautions, while the army of the allies lies still without action; and, consuming the forage all round, deprive themselves of the means of subsisting for time to come, in those places where, by concert, the operations of the campaign

paign were designed; which may make such enterprizes impossible hereafter, as were practicable now, and consequently render the whole campaign unsuccessful, to the inestimable prejudice of the common cause of the high allies.

Certainly when we consider the army as it really is, composed of the troops of your majesty and the other allies, joined together by common concert, to act for the greatest advantage and furtherance of the common cause, and the assurances which your majesty had given us by your letters, by your ministers, and last of all by your general the duke of Ormond, of 'your intentions that 'your troops should be ordered to act with their usual 'vigour,' as well as the engagements into which your majesty is entered, not only with respect to us, but also separately and jointly with us, in respect to the other allies; it is very difficult for us to conjecture and conceive, how an order so prejudicial to the common cause, given so suddenly, without our knowledge, and undoubtedly too without the knowledge of the other allies, can agree and consist with the nature of an alliance, and with those assurances and engagements just now mentioned. For though, according to the declaration of the bishop of Bristol, your majesty holds yourself to be disengaged from every obligation with regard to us, it is plain, that the matter now in question is not our particular interest or advantage, but that of all the allies, who will suffer by the prejudice, which an order so little expected must needs bring to the common cause.

But, Madam, we cannot forbear telling your majesty, that the declaration made by the bishop of Bristol, at Utrecht, has no less surprized us, than that of the duke of Ormond in the army. It appears to us so extraordinary, that we know not how to reconcile it with the great goodness and kindness which your majesty has always honoured us with; and not being able to conceive how such a sudden change could happen, with respect to us, we are not only surprized, but afflicted at it. We have carefully examined our conduct, and find nothing in it, that can have given ground to that dissatisfaction which your majesty expresses with us, by this declaration.

From the very first day that your majesty ascended the throne, we testified all the deference that you could desire from a state in friendship and alliance with you. We carefully sought after your amity and affection, and con-

sidering the happy effects which a good intelligence, harmony, and union between your majesty and us, and the two nations, might produce, and have really produced, and the advantage which resulted from thence to both, as well as to the common cause of all the allies, we made it our business heartily to cultivate them, and more and more to gain your majesty's confidence, and to conform ourselves to your sentiments as much as possibly we could.

We think that we gave a signal proof of this, particularly with regard to the negotiations of peace; since not only after we were informed of the conferences formerly held in England upon this subject, we did expect that your majesty would give us an account of them; having this firm confidence in your friendship for our republick, and in your zeal for the good of the common cause, that nothing would be done to prejudice us, nor the other allies: but also when your majesty communicated to us the preliminary articles signed by M. Mesnager in England, and when you proposed to us the calling and holding a congress for a general peace, and required of us to grant for this end necessary passports for the enemies ministers, we consented to it, though we had many reasons, which to us seemed very well grounded, not to enter into such a treaty without a better foundation, or at least without the concurrence of the other allies; but we preferred your majesty's sentiments to our own, in order to give you a new proof of our deference.

We did no less, with respect to the difficulties which were started on the subject of the treaty of mutual guaranty for the succession of the protestant line to your majesty's kingdoms, and for our barrier; a treaty of such importance to the two nations, that we look upon it as the strongest tie that could be thought on to unite for ever the hearts and interests of both, concluded after the maturest deliberation, and ratified on both sides in the most authentick form: for though we might have stood to the treaty as it was, yet we entered into a negotiation upon those difficulties, and particularly on the point of the Assiento, concerning which, we gave our plenipotentiaries such instructions, that we no longer doubted but all the difficulties would have been adjusted to mutual content, and that we should thereby have intirely regained your majesty's confidence; and the rather, because, in the first place, when the meeting of a congress for a general peace was in hand, your majesty declared to us by your ambassador, ' That you desired no more than our

' concurrence in that single point, and this only mark of

' our

our confidence, and that then you would give us strong and real proofs of your affection towards us, and of your upright intentions, with respect to the common cause of all the allies; and that afterwards, when the difficulties about the succession and the barrier were raised, your majesty did likewise assure us, that if we would remit something upon the most essential points, and particularly about the affair of the Assiento, it would be the true way to re-establish a mutual confidence; which being once restored, your majesty would take particularly to heart the interests of this state, and act in conjunction with us in the whole negotiation, to obtain an honourable, good, and sure peace.

But we find ourselves very much out in our expectation, since, at the very same time, when we made the greatest advances towards your majesty, and that we did verily believe we should come to an agreement about the points in difference, we see the earl of Strafford gone, without finishing that affair; we see the army stopped in the beginning of its career; and we hear a declaration, by which your majesty looks upon yourself to be disengaged from all obligations with us; for which the reasons alledged are, 'That we have not answered as we ought, the advances which your majesty made towards us, and that we would not act in concert with your ministers about the peace.'

If your majesty will be pleased to look with a favourable and equitable eye upon our conduct, we flatter ourselves, and have a firm confidence, that you will find nothing in it which can give you such disadvantageous ideas and thoughts of us; but that you will rather find, that we have performed and do still perform all that we are bound to, as good and faithful allies; and particularly to your majesty.

What we have said already, might perhaps be sufficient to persuade you of it; but we must add, that having always esteemed your majesty's affection, and a good harmony betwixt the two nations, as one of the strongest supports of our state, and of the protestant religion, and as one of the most effectual methods to maintain and advance our common interests, and those of the whole confederacy; and this sincere opinion being firmly imprinted on our hearts, we were never backward to communicate and consult in all confidence with your majesty and your ministers, upon the affairs of peace, according to the foundations laid down in the grand alliance and other treaties. We declare, that we have always been inclinable and ready to do it; and are so still, as far as we can, without prejudice to the other

allies, and without departing from, or acting against the engagements, treaties, and alliances which we have entered into.

But, madam, all the proposals hitherto made to us upon that subject, were couched in very general terms, without communicating to us the result of the negotiations betwixt your majesty's ministers and those of France, nor even your majesty's thoughts about the subject, which we ought to have concerted together. It is true, that in some of the last conferences, your majesty's ministers demanded to know whether ours were furnished with a full power, and authorised to draw up a plan for the peace; but it had been just, before such a thing was demanded of us. That they should have communicated the result of the negotiations, so long treated of betwixt your majesty's ministers and those of the enemy; or, at least they should have told us your majesty's thoughts.

Had that plan related only to your majesty's interest and ours, we should perhaps have been in the wrong not to have forthwith come into it, though even in that case the affair would not have been without its difficulties, since the least notice of it which should have come to the enemy, must have been very prejudicial: but as the plan in question concerned the interest of all the allies, and almost all Europe, we had very strong apprehensions, That as the particular negotiations betwixt your majesty's ministers and those of France, and the readiness with which we consented to the congress at Utrecht, and to the giving of passports to the enemy's ministers, had already occasioned abundance of suspicions, and much uneasiness to his imperial majesty, and the other allies: we say, we apprehended, that his imperial majesty, and the other allies coming to know (which would have been very difficult to conceal from them) the concert betwixt your majesty's ministers and ours, for a plan of peace, and that before the ministers of France had given a specific answer to the demands of the allies, their suspicions and uneasiness would have increased, and that way of proceeding might have given them ground to entertain prejudicial thoughts, as if it had been the intention of your majesty and us, to abandon the grand alliance and the common cause, or at least that we alone took upon us to determine the fate of all the other allies; by which his imperial majesty and the other confederates might have been pushed on to separate measures, and to take such steps as would be no ways agreeable to your majesty's interest.

We

We thought these reasons strong enough to justify our conduct to your majesty on this head; and if we did not enter with all the readiness which you might have wished for, into the concert proposed, we hope, that at most, your majesty will look upon our backwardness, only as an excess of prudence, or of scruple, and not in the least as a want of confidence in your majesty; while the allies might have considered it as a departing from the treaties, and particularly from the eighth article of the grand alliance. We also hope that your majesty, for the reasons here alledged, will lay aside those hard thoughts of us, as if we had not answered as we ought, the advances which your majesty made towards us, and that we would not act in concert with your ministers upon the subject of the peace. But, Madam, though your majesty should not acquiesce in our reasons (of which however we cannot doubt) we pray your majesty to consider, Whether that be sufficient for your majesty to think, that you are disengaged from all obligations with respect to us?

Had we acted against, and contravened the engagements and treaties which we had the honour to conclude with your majesty, we might have expected from your goodness and justice, that you would have represented those contraventions to us, and not have looked upon yourself to be disengaged, till such time as we had refused to give all necessary redress. But, as we did no ways engage to enter with your majesty into a concert to draw up a plan of peace, without the participation of the other members of the grand alliance, the backwardness we have shewn upon that head, cannot be looked upon as a contravention of our engagements, and therefore cannot serve to disengage your majesty from yours, with respect to us, since we are verily persuaded, that we have fully answered all our treaties, and all our alliances, both with your majesty, and with the high allies in general; and that we have done more in this present war, than could in justice and equity have been expected from us. All the difference betwixt your majesty and us in this point, is no more, if rightly considered, than a disparity of sentiments.

In truth, madam, if for such a cause betwixt potentates, allied and united together by the strongest and strictest ties of alliance, interest, and religion, any one of those potentates could quit all their engagements, and disengage themselves from all their obligations, there is no tie so strong,
which

which may not be broke at any time; and we know of no engagements that could be relied on, in time to come.

We assure ourselves, that when your majesty considers the consequences, you will not persist in the declaration which the bishop of Bristol has made: We beseech you, with all the respect, and all the earnestness of which we are capable, that you would not; and also that you would be pleased to revoke the order given to the duke of Ormond, if it be not revoked already; and that you would authorize him to act according to occurrences, and as the exigency of the war, and the advancement of the common cause shall require.

We also request, you, madam, to communicate to us the result of the conferences betwixt your ministers and those of the enemy, or at least your thoughts upon the peace, and we will endeavour to give your majesty all imaginable proofs of our deference for your sentiments and of our sincere desire to preserve your valuable friendship, as much as we can, without acting contrary to the faith of the engagements into which we have entered, by treaties and alliances with your majesty, and other potentates.

We are firmly persuaded, that it is not your majesty's intention in any manner to break them, since you have always been of the same opinion with us and the other allies, That a good union betwixt the allies, not only during the present war, but also after the peace shall be concluded, is, and always will be the most solid, and even the only method to preserve the liberty and independency of all together, and of every one in particular, against the great power of France.

We expect also, that after having given such great and signal proofs of your wisdom, of your firmness, and of your zeal for the support of the common cause, your majesty will not now take such resolutions as may be prejudicial to us and to the other allies; but that, in order to obtain an honourable, sure, and general peace, you will pursue the same methods, and keep to the same maxims which you formerly held, and which Almighty God hath blessed in so remarkable a manner, by victories and great events, which will render the glory of your majesty's reign immortal (m.)

(m) To these papers it may be proper to add extracts of the treaties of Utrecht.

I. Between Great-Britain
and France.I. Perpetual peace and true
friendship.

II. Cessation of all hostilities.

III. All offences, damages,
&c. shall be buried in obli-
vion.

IV. The most christian king
acknowledges the limitation
of the succession to the king-
dom of Great-Britain, in the
protestant line, and on the faith,
word, and honour of a king,
declares, he, and his heirs shall
accept and approve the same
for ever; and promises, that
no one, besides the queen and
her successors, according to the
said limitation, shall ever, by
him and his successors, be ac-
knowledged king or queen of
Great-Britain; and that he and
his heirs will take all possible
care, that the person, who,
since the decease of king James,
did take upon him the title of
king of Great-Britain, shall
not, at any time hereafter, re-
turn into the kingdom of
France, or any the dominions
thereof.

V. The most christian king
promises, for himself, and heirs,
that they will at no time dis-
turb the queen of Great-Bri-
tain, her heirs and successors
of the protestant line, nor give
any aid, favour, or council,
directly or indirectly, by land

or sea, in money, arms, am-
munition, stores, ships, sol-
diers, or any other way, to any
person who shall oppose the
protestant succession.

VI. The union of France
and Spain being the chief
foundation of the war, it is
provided and settled by renun-
ciations, that these kingdoms
shall never be joined in one *.
The most christian king en-
gages, that he will not endea-
vour to obtain any usage of na-
vigation and trade to Spain
and the Spanish Indies, than
what was practised in the reign
of Charles II. of Spain, or than
what shall be granted to other
nations.

VII. Free navigation and
commerce, as before the war,
and as agreed by the treaty of
commerce this day made be-
tween the two nations.

VIII. That the ordinary dis-
tribution of justice be opened,
so that the subjects of both sides
may sue for, and obtain their
rights, according to the laws of
each kingdom.

IX. The most christian king
shall take care, that the fortifi-
cations of Dunkirk, towards the
sea, be rased within two months;
and those towards the land with-
in three months, and the har-
bour be filled up, and the sluices
or moles levelled at the king's
expence; and that the fortifi-
cations, harbours and moles be

* In this article are included, I. The French king's letters patent, which admit the renunciations of the king of Spain, and those of the dukes of Berry and Orleans. II. The king of Spain's renunciation. III. The duke of Berry's renunciation. IV. The duke of Orleans's renunciation. V. The French king's letters patent of December 1700.

never repaired again. All which, however, shall not begin to be ruined, till every thing is put into his hands which is to be given him instead thereof, or an equivalent.

X. Hudson's Bay shall be restored to the queen of Great-Britain.

XI. All damages to the Hudson's Bay company, by depredations of the French in time of peace, shall be satisfied, according to the estimates of commissaries to be named at the requisition of each party. The same concerning the damages last year in the island of Montserrat, and concerning the things complained of by the French, relating to Nevis, and castle of Gambia.

XII. The island of St Christopher, all Nova Scotia or Acadia, Port Royal or Annapolis, shall be delivered to the English, and the French excluded from all kind of fishing in the seas, bays, or other places on the coasts of Nova Scotia; that is, on those lying towards the east, within thirty leagues, beginning from Sable-island, and thence stretching along towards the south-west.

XIII. Newfoundland, and the adjacent islands shall belong wholly to Britain; and the town and fortrefs of Placentia shall be delivered up within seven months. Only it shall be allowed to the French to catch fish, and dry them on the land from cape Bonavista, round northward to Point Riche. But the island of Cape Breton, as also all others, both in the mouth of the river, and gulph of St Laurence, shall belong to the French,

XIV. A year shall be allowed to the French to remove and carry off their effects, from the places to be yielded up by this treaty, and the free exercise of their religion, to those that are willing to remain there.

XV. The French of Canada shall give no molestation to the five nation of Indians, subject to Britain; and the English shall behave peaceably to the Americans, friends of France, and on both sides they shall enjoy full liberty of going and coming on account of trade.

XVI. All letters of reprisal and marque shall be recalled, and none granted hereafter, but upon plain proof of a denial, or wrongful delay of justice; and unless the petition of him, who desires the letter of reprisal, be shown to the minister of that prince, against whose subjects the letters are demanded, that he, within four months or sooner, may make inquiry, or procure satisfaction. But in case of no minister, the letters are not to be granted till after four months, from the day the petition was exhibited to the prince, against whose subjects the letters are desired, or to his privy-council.

XVII. The conditions of the suspension of arms, made the 11th day of August last, relating to ships, merchandizes, and other effects, taken on either side, shall be truly executed.

XVIII. But in case through inadvertency or imprudence, any thing should be committed by any subject, whereby any article of this treaty hath not its effect, this peace shall not be interrupted or broken; but that

subject

subject alone shall be answerable for his own fact.

XIX. In case of a future war, six months from the day of the rupture shall be allowed to the subjects of each nation, to remove all their effects, and retire themselves where they please.

XX. Just and reasonable satisfaction shall be given to all the queen's allies, in those matters which they have a right to demand from France.

XXI. The most christian king will, in friendship to the queen, grant, in his treaty with the empire, all things concerning religion, to be settled according to the treaties of Westphalia.

XXII. Justice shall be done to the family of Hamilton, concerning the dukedom of Chateauraut, to the duke of Richmond, concerning such requests as he has to make in France, and to Charles Douglas, concerning certain lands, and to others.

XXIII. All prisoners taken during the war, shall be set at liberty without distinction or ransom.

XXIV. All the conditions of the peace made this day, between the kings of France and Portugal, are confirmed by this treaty, and the queen of Great-Britain takes upon herself to be guaranteee.

XXV. The peace made this day between France and Savoy, is particularly included in this treaty, her majesty of Great Britain expressly declaring, she will be bound by the stipulations of security and guarantee promised therein, as well as by those, she

has formerly taken upon herself.

XXVI. Sweden, Tuscany, Genoa, and Parma, are in the best manner included in this treaty.

XXVII. Their majesties have also been pleased to comprehend in this treaty the Hans-towns, namely Lubeck, Bremen, and Hamburg, and the city of Dantzick, with this effect, that as soon as the general peace shall be concluded, the Hans-towns, and the city of Dantzick, may for the future, as common friends, enjoy the antient advantages which they have heretofore had in the business of trade, either by treaties or by old custom.

XXVIII. Those shall be comprehended in this present treaty of peace, who shall be named by common consent, on the one part, and on the other, before the exchange of the ratifications, or within six months after.

XXIX. Lastly, solemn ratifications of this present treaty, and made in due form, shall be exhibited on both sides at Utrecht, and mutually and duly exchanged within the space of four weeks, to be computed from the day of the signing, or sooner if possible.

XXX. In witness whereof, we, the underwritten ambassador extraordinary, and plenipotentiaries of the queen of Great-Britain, and of the most christian king, have put our seals to these present instruments, subscribed with our own hands, at Utrecht the $\frac{21}{11}$ day of $\frac{\text{March}}{\text{April}}$ in the year 1713.

(L. S.)

(L. S.) Joh. Bristol. C. P. S.

(L. S.) Strafford.

(L. S.) Huxelles.

(L. S.) Mefnager.

II. Between Great-Britain and Spain.

I. Perpetual peace and true friendship.

II. Against the union of the kingdoms of Spain and France, as in the VIth article of the treaty with France.

III. A general amnesty on both sides.

IV. All prisoners to be freed without ransom.

V. and VI. Concerning the acknowledging and promising not to disturb the protestant succession, as in the IVth and Vth articles of the treaty with France.

VII. That the ordinary distribution of justice be restored.

VIII. That there be a free use of navigation and commerce, as it was in the reign of Charles II. of Spain, and also according to the treaties of commerce which are now, or will forthwith be made at Madrid. And whereas it is, by common consent, established as a fundamental rule, that the exercise of navigation and commerce to the Spanish West-Indies, shall be as in the time of the said Charles II, that therefore this rule may be observed inviolably, it is especially agreed, that no license shall at any time be given to the French, or any other nation, to introduce negroes, goods, merchandizes, or any things whatsoever into the Spanish American dominions, except what may be agreed by the treaty of com-

merce aforesaid, and the privileges granted in the Asiento de Negrees, mentioned in the XIIth article, except also what the catholick king or his successors shall promise by any contract, after the Asiento de Negrees is determined. It is further agreed, that none of the Spanish dominions in America shall ever be alienated from the crown of Spain, to the French or other nation. On the contrary, the queen of Great Britain will endeavour and assist the Spaniards, that the antient limits of their American dominions be settled, as in the time of Charles II.

IX. The subjects of each kingdom shall, in all countries, have at least the same privileges as to duties, or customs, and shall have the like favour in all things, as the subjects of France, or any nations they favoured, do or shall hereafter enjoy.

X. Gibraltar is given up to the crown of Great-Britain: but (to prevent abuses by importing any goods) without any territorial jurisdiction, and without any open communication by land with the country round about. Provisions, however, and other necessaries in times of scarcity, may be bought with money for the use of the garrison and ships in the harbour. No leave shall be given to Jews or Moors to reside there, nor shelter to any Moorish ships of war, whereby the communication between Spain and Ceuta may be obstructed, or the coasts of Spain infested. The free exercise of their religion shall be granted to the catholick inhabitants; and in case the town of Gibraltar shall hereafter be granted or

sold,

fold, Spain shall have the preference of having the same.

XI. The island of Minorca, with all its towns and castles, particularly Port-Mahon, is also yielded to the crown of Great-Britain. No refuge to be given to Moorish ships, but only on account of traffick. In case of alienation, the crown of Spain to have the preference. The inhabitants to enjoy their religion, estates, and honours; and those that retire, to sell their estates.

XII. The catholick king grants to the South-Sea company, with exclusion of all others, the contract for introducing Negroes into his American dominions, commonly called *El Pacto del Asiento de Negroes*, for the space of thirty years, beginning from the 1st of May 1713, with the same conditions enjoyed by the French, together with tracks of land on the river of Plata, sufficient for the subsistence of those who are in the service of the company, and of their Negroes. The ships of the company may also come close to land; but a Spanish officer shall be appointed to take care that nothing be done, contrary to his master's interests, and all belonging to the company shall be subject to the inspection of the officer, as to matters relating to the tracks of land, and disputes to be referred to the governor of Buenos Ayres. The contract of the *Asiento* concluded at Madrid, the 26th of March, 1713, with all its conditions, not contrary to this article, is deemed as part of this treaty.

XIII. At the earnest desire of the queen of Great-Britain,

that the Catalonians should not only obtain a full and perpetual oblivion of all that was done in the late war, and enjoy all their estates and honours, the catholicks hereby grant the desired amnesty, and all the privileges which the Castilians enjoy, or may hereafter enjoy.

XIV. As Sicily is by treaty yielded to the duke of Savoy, the queen of Great-Britain will take care, that in default of heirs male the possession of Sicily shall revert to the crown of Spain, and not be alienated on any pretence whatsoever, unless to the catholick king.

XV. All treaties heretofore concluded between the two crowns are hereby confirmed, as far as they are not contrary to those treaties lately made and signed. And as the Guipuscoans pretend to certain rights of fishing at Newfoundland, it is agreed, that all such privileges as they and other people of Spain are able to claim by right, shall be allowed them.

XVI, XVII, and XVIII. The same as XVIIth, XVIIIth, and XIXth of the treaty with France.

XIX. The kings, princes and states, mentioned in the following articles, and all others nominated on either side by common consent, before the ratifications are exchanged, or within six months after, shall be included in this treaty.

XX. Whatsoever shall be contained in a treaty between Spain and Portugal, with the approbation of Great-Britain, shall be deemed an essential part of this treaty.

XXI. The

THE HISTORY

XXI. The treaty of peace this day made between Spain and Savoy, is included in this treaty, the queen of Great-Britain declaring, she will be obliged by the terms of promise and guarantee therein made.

XXII. Sweden, Tuscany and Parma, shall be included in this treaty.

XXIII. And also the republick of Venice, for the sake of the neutrality they have observed, and the many acts of humanity performed by them.

XXIV. And the republick of Genoa, on the same accounts.

XXV. The city of Dantzick shall also be included.

XXVI. Solemn ratifications of this treaty shall be exchanged on both sides, within six weeks or sooner.

In witness whereof the ambassadors and plenipotentiaries signed and sealed this present treaty at Utrecht, the $\frac{2}{3}$ day of July, 1713.

(L. S.) Joh. Bristol. C.P.S.

(L. S.) Strafford.

(L. S.) Duc de Ossuna.

(L.S.) El Marque the Montaleone.

Separate articles.

I. Since his catholick majesty is stedfastly resolved, and does solemnly promise by these presents, that he will not consent to any further alienation of countries, provinces, or lands belonging to the crown of Spain, the queen of Great-Britain does likewise promise, that she will persist in those measures, by which he has taken, that none of the parties in war shall require or obtain of his catholick majesty, that any farther part of the Spanish monarchy be torn from it. And when it shall seem to the queen of Great-Britain to be for the common benefit, the king of Spain does give his consent, that a new treaty be entered into between Great-Britain, Spain, and Portugal.

II. The queen of Great-Britain obliges herself to procure forthwith the lady Ursini to be put into possession of the duchy of Limburg, or other countries in the Netherlands, which shall produce an annual clear revenue of 30,000 l. Scudos, according to the diploma granted by his catholick majesty to that princess, the 28th day of September, 1711.*

* This princess having quitted her rank and prerogatives at the court of Rome, was made first lady of the bed-chamber to the queen of Spain, whom she met at Nice in Provence, and conducted into Spain. Afterwards, when the regency of Spain was trusted to the queen, at the king's going to command his armies in Italy, the princess Ursini assisted her with her care and counsel. She likewise took upon her the care of the education of the prince of Asturias. These are the reasons alledged by the king, for granting her the territory of Limburg, and obliging the queen of Great-Britain to procure it for her.

T H E

H I S T O R Y

O F

E N G L A N D.

BOOK XXX. PART II.

From the Year 1714. to the Year 1716.

C H A P. I.

Account of king George I.—He is proclaimed.—The parliament meets.—Addresses, with the king's answers.—Civil list settled.—Publick credit restor'd.—The French king owns king George.—Bolingbroke remov'd.—His accession notified to the States.—Affairs of Hanover before the queen's death.—The king sets out for England.—Situation of affairs at his accession.—Commutations in Scotland.—The king's declaration in council.—His coronation.—Affair of Dunkirk.—The pretender's manifesto.—Religious disputes.—The parliament dissolv'd, and another call'd.—Earl of Strafford's papers seiz'd, and Prior call'd home.—Elections in England and Scotland.—The parliament meets.—The king's first speech.—Debates about the addresses.—Behaviour of the earl of Oxford and lord Bolingbroke.—Bishop Burnet dies.—King's proclamation objected to.—Papers of the late ministry laid before the house.—Death and character of the marquis of Wharton.—The great eclipse.—Debate about the civil list.—About pensions.—About the land-forces.—Affairs at sea.—Death of the earl of Halifax.—Several debates.—Report of the secret committee.—Bolingbroke, Oxford, Strafford and Ormond are impeach'd.—Oxford's defence.—Sent to the tower.—The proclamation—

T act

VOL. VI.

act against tumults.—Twenty-one regiments rais'd.—Debate about the impeachment.—Act to encourage loyalty in Scotland.

30. GEORGE I.

1714.
Account and
character of
king
George I.

THE illustrious house of Hanover entirely owe their advancement to the throne of Great-Britain, to the effectual measures taken by king William and queen Anne, for the exclusion of all catholick princes. Had not the order of the succession been changed, and supposing the doubtfulness of the pretender's birth a sufficient reason to set him aside, the house of Savoy would have been in possession of the British dominions, as they derive their right from the princess Henrietta, Daughter of king Charles I. whereas the house of Hanover are descended from the princess Elizabeth, daughter of king James I. Nor was it out of any particular regard to the dukes of Hanover, that the English nation agreed to alter the succession, but out of a belief, that it was absolutely necessary for the preservation of the protestant religion, and the liberties of the state. All catholicks were therefore declared incapable of succeeding to the crown, and consequently the succession was established in the protestant branches. Upon this foundation it was, that, the duke of Gloucester being dead, the princess Sophia was acknowledged for lawful heir to the imperial crown of Great-Britain.

Though this change of the succession has been exclaimed against by many, it is built on very strong reasons. In catholick countries, a protestant king will not be endured: why therefore should a protestant state be obliged to suffer a catholick king? Are there not between sovereign and subjects, mutual obligations? And is not the preservation of religion one of the greatest? If the catholicks think their religion unsafe under a protestant prince, has not experience taught the protestants, that their religion can never be secure under a catholick prince? What the nation had suffered from the zeal of king James to introduce his religion, did it not sufficiently justify their fears and precautions? To maintain the protestant succession against the pretended heir, and several others, who, after his decease, might put in their claim, the best measures were taken. Of these, the most effectual was the humbling the exorbitant power

power of France, by which king James and his pretended son were protected. Lewis XIV. was at last forced to abandon their defence, and acknowledge the protestant succession. All the other states, enemies of France, rejoiced at the revolution, and made it their interest to support it. The union of Scotland with England had the same end, - and was so eagerly desired by king William, only that the Scots might cease to wish for a separate king, and concur with the English in the succession they had established.

Pursuant to the act of succession, George Lewis, son of Ernest Augustus, first elector of Brunswick, Lunenburgh, by the princess Sophia, grand-daughter of king James I. ascended the throne on the death of queen Anne. His mature age, being then fifty-four years old (n), his experience, his personal qualities, his numerous family, the general peace then in Europe, the interest his allies had to support him, seemed to promise him a quiet and peaceable reign; but, however, he was not without his disturbances. This prince had great talents for a crown, and had not failed to exert them on occasion. He was concerned in all the affairs of Germany, and always came off with advantage. The great services he had done for the emperor Leopold, determined the emperor Joseph, his successor, to use all his power to procure him admittance into the electoral college: and the emperor Charles, successor of Joseph, caused him to be acknowledged elector by Lewis XIV. and by the electors of Cologne and Bavaria, who, till the treaty of Rastadt, had refused him that title. He had waged war in person and with success. His campaign on the Rhine in 1709 was glorious, and would have been much more so, had not the too great bravery of count Merci disappointed his project of sending aid to the duke of Savoy, to enable him to penetrate into la Franche Comté. This prince had an excellent spirit and noble sentiments: he was much more sensible of services than of injuries; courageous, little capable of dissembling or hiding his thoughts; my maxim (said he, soon after his arrival in England) 'is never to abandon my friends, to do justice to all the world, and to fear no man.' To these valuable qualities he joined a great application to business, and a sincere desire to render his subjects happy.

All these virtues together had gained him the respect and love of his German subjects, who were all submissive to his will; and their obedience had nothing of constraint, because

(n) He was born May 28, 1660.

1714. his commands were always reasonable, and dictated both by equity and goodness.

As soon as queen Anne had resigned her last breath, the privy-council met, and the archbishop of Canterbury, the lord chancellor, and resident Kreyenberg (in whose hands they were lodged) procured the elector of Brunswick's three instruments, nominating the persons to be added, as lords justices, to the seven great officers of the realm (o).

After the opening of the instruments, a proclamation was issued, declaring that the high and mighty prince George, elector of Brunswick-Lunenbug, was, by the death of queen Anne, become our lawful and rightful liege lord, king of Great-Britain, France, and Ireland. This proclamation was signed by above a hundred lords and gentlemen, several of whom, in less than a year, entered into treasonable plots to deprive the king of his right, and broke out into open rebellion against him.

The king is
proclaimed.
Aug. 1.

King George was proclaimed at the usual places, and with the usual solemnities, in the cities of London and Westminster. The streets were crowded with multitudes of people, and no disorder was committed. The same day the lords-justices appointed the earl of Dorset to carry the king the news of his inauguration, and to attend him in his journey to England.

The king
is proclaimed
in Scot-
land,
Aug. 4.

The earl of Ila, lord justice-general of North-Britain, having received notice of the queen's death, and orders to proclaim the king, went to the lodgings of the duke of Mon-

(o) The great officers were:
Dr Tennison, archbishop of
Canterbury,
Lord chancellor Harcourt,
John Sheffield, duke of Buck-
inghamshire, lord-president,
Charles Talbot, duke of Shrews-
bury, lord-treasurer,
William Legg, earl of Dart-
mouth, lord privy-seal,
Thomas Wentworth, earl of
Strafford, first commissioner
of the admiralty,
Sir Thomas Parker, lord chief-
justice of the king's-bench.

hand, the following persons:

Duke of Shrewsbury,
Duke of Somerset,
Duke of Bolton,
Duke of Devonshire,
Duke of Kent,
Duke of Argyle,
Duke of Montrose,
Duke of Roxburgh,
Earl of Pomfret,
Earl of Anglesey,
Earl of Carlisle,
Earl of Nottingham,
Earl of Abingdon,
Earl of Scarborough,
Earl of Orford,
Lord viscount Townshend,
Lord Halifax,
Lord Cowper.

To these were added, by the
elector of Brunswick, in the
instrument under his own

trose (one of the lords of the regency) where he found the marquis of Tweeddale, and several other lords and persons of distinction, who, with the magistrates of Edinburgh, and the officers of the state, caused the king to be proclaimed with great ceremony.

Two days after the lords-justices of Ireland, the archbishop of Armagh, and Sir Constantine Phipps, having received the like notice, proclaimed the king on the 6th of August at Dublin. At the same time, they issued a proclamation for disarming papists, and seizing their horses.

and in Ireland,
Aug. 6.

There was not the least disturbance or interruption given in any place to the proclaiming of the king; only at Oxford, the mayor received a letter brought by a person in a bachelor's gown, requiring him to proclaim the pretender (p). The mayor communicated this letter to the vice-chancellor, and both of them transmitted copies of it to Mr secretary Bromley, representative for the university of Oxford, who sent them letters of thanks. The vice-chancellor also offered a reward of a hundred pounds to the discoverer of the author.

Precautions
taken.
Annals.

In the mean time, the lords of the regency finding the nation much exposed by the ill condition of the army and fleet, took all possible precautions to guard against a surprise. They dispatched such officers of the army, as they could trust, to their respective posts; gave orders to reinforce the garrison of Portsmouth, and sent vessels out to view the harbours of France. They chose Mr Joseph Addison to be their secretary, and ordered all dispatches, directed to the secretary of state, to be sent to him. This was particularly mortifying to the lord Bolingbroke, who was now obliged to stand at the door of the council-chamber with his bag and papers, and to receive orders from those, whom, a few days before, he expected to command.

The parliament met at Westminster, the afternoon of the very day the queen died, pursuant to the act, which regulated the succession. The speaker being in Wales, it

The parliament meets.
Aug. 1.
Pr. H. C.

(p) In the letter were these expressions:

' This is to warn you, if you
' should receive an order to pro-
' claim Hanover, not to comply
' with it, for the hand of God
' is now at work to set things
' upon a right foot, and in a

' few days you will see won-
' derful changes; which if you
' are wise enough to foresee,
' you will obtain grace and fa-
' vour from the hands of his
' sacred majesty king James,
' &c.'

1714.

was moved by Mr secretary Bromley, that the house should adjourn to the Wednesday following. But this motion, though seconded, was answered by Sir Richard Onslow, that time was too precious for any to be lost at so critical a juncture. And therefore the house adjourned only to the next day.

The lord
chancellor's
speech to
both houses.

On the 5th of August, the lords-justices came to the house of peers, where the lord-chancellor, in their name, made the following speech to both houses:

My lords and gentlemen,

“ **I**T having pleased almighty God to take to himself
“ our late most gracious queen of blessed memory, we
“ hope, that nothing has been omitted, which might con-
“ tribute to the safety of these realms, and the preservation
“ of our religion, laws, and liberties, in this great con-
“ juncture. As these invaluable blessings have been secur-
“ ed to us by those acts of parliament, which have settled
“ the succession of these kingdoms in the most illustrious
“ house of Hanover; we have regulated our proceedings by
“ those rules, which are therein prescribed.

“ The privy-council, soon after the demise of the late
“ queen, assembled at St James's, where, according to the
“ said acts, the three instruments were produced and open-
“ ed, which had been deposited in the hands of the arch-
“ bishop of Canterbury, the lord-chancellor, and the resi-
“ dent of Brunswick. Those, who, either by their offices,
“ or by virtue of these instruments, had the honour of be-
“ ing appointed lords-justices, did in conjunction with the
“ council, immediately proceed to the proclaiming of our
“ lawful and rightful sovereign king George, taking, at
“ the same time, the necessary care to maintain the pub-
“ lick peace.

“ In pursuance of the acts before-mentioned, this par-
“ liament is now assembled, and we are persuaded, you
“ all bring with you so hearty a disposition for his maje-
“ sty's service, and the publick good, that we cannot doubt
“ of your assistance in every thing, which may promote
“ those great ends.

Gentlemen of the house of commons,

“ We find it necessary to put you in mind, that several
“ branches of the publick revenue are expired by the de-
“ mise

1714.

"mise of her late majesty; and to recommend to you the
 "making such provisions in that respect, as may be re-
 "quisite to support the honour and dignity of the crown:
 "and we assure ourselves, you will not be wanting in any
 "thing, that may conduce to the establishing and ad-
 "vancing of the publick credit.

My lords and gentlemen,

"We forbear laying before you any thing, that does
 "not require your immediate consideration, not having
 "received his majesty's pleasure. We shall only exhort
 "you, with the greatest earnestness, to a perfect unani-
 "mity, and a firm adherence to our sovereign's interest,
 "as being the only means to continue among us our present
 "happy tranquillity."

The commons being returned to their house, Mr Secretary Bromley moved for an address of condolance and congratulation, insisting much on the great loss the nation had sustained by the death of the late queen. Mr Robert Walpole moved for something more substantial, 'to give the king assurances of their making good all parliamen- tary funds;' and Mr Onslow, afterwards lord Onslow, very justly observed, 'That the stress of the address ought not to lie upon condoling, but upon congratulating and giving the king assurances of their maintaining both his majesty's undoubted title to the crown, and publick credit.' Accordingly, instructions were given for drawing up the following address, which was unanimously agreed to the next day:

Most gracious Sovereign,

"WE your majesty's most dutiful and loyal subjects, The address
 "the commons of Great Britain in parliament as- of the com-
 "sembled, having a just sense of the great loss the nation mons.
 "has sustained by the death of our late sovereign lady queen Pr. H. C.
 "Anne, of blessed memory, humbly crave leave to con-
 "dole with your majesty on this sad occasion.

"It would but aggravate our sorrow, particularly to
 "enumerate the virtues of that pious and most excellent
 "princess; the duty we owe to your majesty, and to our
 "country, oblige us to moderate our grief, and heartily
 "to congratulate your majesty's accession to the throne;
 "whose princely virtues give us a certain prospect of fu-
 "ture

1714.

"ture happiness in the security of our religion, laws, and liberties, and engage us to assure your majesty, that we will, to our utmost, support your undoubted right to the imperial crown of this realm, against the pretender and all other persons whatsoever.

"Your faithful commons cannot but express their impatient desire for your majesty's safe arrival and presence in Great-Britain.

"In the mean time, we humbly lay before your majesty the unanimous resolution of this house, to maintain the publick credit of the nation, and effectually to make good all funds which have been granted by parliament, for the security of any money which has been, or shall be advanced for the publick service, and to endeavour, by every thing in our power, to make your majesty's reign happy and glorious."

The same day, the house of peers agreed upon the following address:

Most gracious Sovereign,

Address of
the lords.
Pr. H. L.

"WE your majesty's most dutiful and loyal subjects, the lords spiritual and temporal in parliament assembled, though deeply sensible of the great loss these nations have sustained, by the demise of her late majesty of blessed memory, think it our duty, at the same time, with thankful hearts to almighty God, to congratulate your majesty upon your happy and peaceable accession to the throne: and we do, with the utmost loyalty and duty, assure your majesty of our zealous and firm resolutions to support your undoubtedly rightful and lawful title to the crown, against all enemies and pretenders whatsoever.

"Our zeal and affection for your majesty's service engage us to exert ourselves with all vigour and unanimity for securing the publick safety; and we will always, to the utmost of our power, maintain the honour and dignity of your crown. And we do, with faithful hearts, beseech your majesty, as soon as possible, to give us your royal presence, which we are persuaded will be attended with all other blessings to your kingdoms."

This

This address having been transmitted by the lords-justices to the king, he returned this answer :

1714.

GEORGE R.

" I take this first opportunity to return you my hearty thanks for your address, and the assurances you have given me therein. The king's answer to the lords address.

" The zeal and unanimity you have shewn, upon my accession to the crown, are great encouragements to me ; and I shall always esteem the continuance of them as one of the greatest blessings of my reign.

" No one can be more truly sensible than I am, of the loss sustained by the death of the late queen, whose exemplary piety and virtue so much endeared her to her people, and for whose memory I shall always have a particular regard.

" My best endeavours shall never be wanting to repair this loss to the nation. I will make it my constant care to preserve your religion, laws, and liberties inviolable, and to advance the honour and prosperity of my kingdoms.

" I am hastening to you, according to your desire, so affectionately expressed in your address."

The address of the commons being also transmitted to the king, he returned the following answer :

GEORGE R.

" Your dutiful and loyal address is very acceptable to me. The unanimity and affection my commons have shewn, upon my accession to the crown, are most agreeable instances and pledges of their fidelity to me. The king's answer to the commons address.

" I have a just sense of your inexpressible loss, by the death of your late sovereign. You may be assured of my constant endeavours to secure to you the full enjoyment of your religion, laws, and liberties ; and that it will always be my aim to make you an happy and flourishing people ; to which your resolution to maintain the publick credit of the nation will greatly contribute. I am hastening to you, according to your earnest desire, and the just expectations of my people."

The

1714.

The tories
propose a
million for
the civil list.

The civil list
settled.
Pr. H. C.

Aug. 14.

The tories, on pretence of shewing extraordinary zeal for the new government, proposed the giving the king a million sterling for the civil list, which was 300,000l. more than the late queen had enjoyed. But, though no direct opposition was then made to that motion, yet it was afterwards dropped; the wisest of the king's friends knowing, that the tories would take occasion from thence to reproach him, as oppressing the nation by a higher revenue than the queen, as they afterwards suggested in their libel, called, English advice. For this reason, the proposal for the same sum as had been granted to the queen was approved, and a bill for that purpose, being brought in, passed with great dispatch. While the bill was depending, Mr Horatio Walpole moved, that the committee should have power to receive two clauses; one for the payment of the arrears due to the Hanover troops in English pay, being 65,000l. the other for 100,000l. to be paid by the treasury, to any person that should apprehend the pretender, if he should land, or attempt to land in any of the king's dominions. Sir William Wyndham seconded Mr Walpole as to the arrears; and Mr Shippen very frankly owned, he had opposed that payment in the late reign, but that he was for it now. Mr Aldworth member of parliament for new Windsor, supported likewise the motion; but, as if he designed to expose the members, who, at this juncture, appeared so forward to pay those very troops, which, a few months before, they had treated as runaways, he said, 'That, for his part, he had formerly been against the payment, because he had been given to understand, in that very house, that those troops were deserters; but that he had since been informed, they were hired to fight, and had served well as long as there was fighting: and if, when they came in sight of the enemy, they, who hired them, would not suffer them to fight, he did not see any reason, why they should be called deserters.' As to the clause, for giving 100,000l. to such, as should apprehend the pretender, Mr C—n said, the next day, 'That he was not the day before in the house, when that clause was moved; but, if he had been present, he would have opposed it, because in his opinion, the protestant succession was no longer in danger, since his majesty's peaceable accession to the throne:' and he was so positive in this assertion, that he defied all the house to prove the contrary. He was seconded by Mr Shippen; but Mr Pulteney, and after him the lord Lumley, made it clearly appear, 'That

1714.

That the protestant succession was in danger, as long as there was a popish pretender, who had many friends both at home and abroad: that the late queen was sensible of that danger, when she issued out her proclamation against him; and that the case was not altered by her majesty's demise: that the nation would be at no charge, if the pretender did not attempt to land; and, if he did, 100,000*l.* would be well bestowed to apprehend him.' To this Mr C—n made no reply.

Mr Craggs, who, the day before the queen died, had been dispatched to Hanover, returned, the 13th of August, with letters from the king to the lords-justices: upon which they went to the house of peers; and the chancellor, in their name, made the following speech to both houses:

A letter
from the
king.

My lords and gentlemen,

IT is with great satisfaction we can now tell you, that we have this morning received a letter from the king, wherein his majesty is graciously pleased to acquaint us, that his majesty is hastening hither, to employ his utmost care for putting these kingdoms into a happy and flourishing condition.

The chan-
cellor's
speech to
both houses
upon it.
Aug. 13.

He has commanded us, in the mean time, to continue our care of every thing, that may conduce to the peace and safety of his dominions. And we are assured, that, if this had required his more immediate presence, he would, without the least delay, have repaired hither, for the support of so dutiful and faithful subjects. For his majesty does very particularly express his great satisfaction in the loyalty and affection, which his people have universally shewn upon his majesty's accession to the crown.

At the opening this session, we did not mention to you the apprehensions we then had, from the smallness of the sum at that time advanced, that the lottery would not be full, being desirous, in the first place, to try to make it effectual in the manner the parliament had established it. But we are obliged now to acquaint you, that all our endeavours have failed of the desired success, though the contributions have been thereby considerably increased.

We must therefore earnestly recommend to you, gentlemen of the house of commons, to take this into your consideration, and to give such further encouragement, as you shall think proper, for raising the whole sum

“ which

1714.

“ which was intended, and is absolutely necessary for carrying on the service of the year.”

The publick
credit restor-
ed. Pol. St.

The parliament had, before the queen's death, passed an act for a lottery for 1,400,000*l*. but publick credit was then so low, that not above sixty or seventy thousand pounds had been subscribed. This was occasioned partly by the diffidence of the monied-men in the late administration, and partly by the low interest allowed for the blank tickets. The lords of the regency and privy-council, to restore publick credit, and fill the lottery, went in a body to the bank, and subscribed large sums themselves, which was such an encouragement to others to follow their example, that above 700,000*l*. was subscribed in two days; and the parliament, pursuant to the king's desire, giving further encouragement by making a small addition to the interest for the blank tickets, one per cent. only, the remainder was subscribed in a few days more.

Addresses of thanks for the king's letter were voted by both houses, and sent to Hanover by the lords-justices, who, about a week after, came to the house of peers to pass the money-bills, that were ready for the royal assent. The speaker, upon presenting the civil list and lottery bills, made a remarkable speech (q), and, the business of the session being

(q) The speech was as follows:

My Lords,

‘ The knights, citizens, and
‘ burgeses of Great-Britain in
‘ parliament assembled, under
‘ the present happiness they en-
‘ joy by his majesty's peaceable
‘ and quiet accession to the
‘ throne, could not enter upon
‘ any work more satisfactory
‘ and pleasing to themselves,
‘ than the providing a sufficient
‘ revenue for the occasions of
‘ his majesty's civil govern-
‘ ment, in order to make his
‘ reign as easy and prosperous,
‘ as the beginning of it hath
‘ been secure and undisturbed.

‘ They are sensible, that the
‘ peace of the kingdom is not
‘ to be preserved, nor the rights
‘ and liberties of the subjects to
‘ be protected, without support-
‘ ing the just authority and dig-
‘ nity of the crown: and there-
‘ fore they have thought it their
‘ interest, as well as duty, to
‘ make such a provision, as
‘ may not barely suffice to the
‘ necessity of the government,
‘ but may be suitable to the
‘ state, the honour and lustre
‘ which the crown of Great-
‘ Britain ought to be attended
‘ with.

‘ Whatsoever is superfluous
‘ in that provision, and more
‘ than the ordinary services of
‘ his majesty shall require, will but
‘ inable

being finished, the lords-justices prorogued the parliament to the 3d of September.

Thus ended the second and last session of the fourth par-

The parliament is prorogued,
Aug. 25.

inable him to exert his highest and most valuable prerogative of doing good: and we can give no greater proof of the trust we repose in his majesty's gracious disposition, than putting the same intire revenue into his hands, which her late majesty died possessed of; whose virtues we all admired, and of whose affection and concern for the religion, laws, and liberties of this kingdom, we had so long experience.

As the crown itself descends immediately, and knows no vacancy, the commons have taken care, that the revenue should follow it as close as possible; for they have given all the dispatch to this grant, which the forms of their proceedings would allow. So that when his majesty shall please to answer the impatient desires of his people, by coming to take possession of his kingdoms, he will find himself equally established in these revenues, as if he had succeeded to all by an uninterrupted right of inheritance. The only difference is this, that, if he had inherited them, he would have wanted one single proof of the duty, and affection, and unanimity of his subjects.

Our desire is, that this may be looked upon as an earnest and pledge of that zeal and fidelity, which we shall always retain, and which, upon every occasion, we shall be ready to

demonstrate to his majesty's person and government: as such, we hope his majesty will graciously accept it at this time; and hereafter, when he shall have had experience of this first voluntary offering of his loyal commons, we hope he will find it to his satisfaction, as large and as ample as he could wish, might but the term of the grant be as long as we could wish, since it is to have equal continuance with his majesty's life.

My lords, the bill, which the commons have passed for the purposes I have mentioned, is intitled, An act for the better support of his majesty's household, and of the honour and dignity of the crown of Great-Britain.

They have also prepared another bill, as well for rectifying mistakes in the names of the commissioners for the land-tax, as for raising so much as is wanting to make up the sum of fourteen hundred thousand pounds, intended to be raised by a lottery, for the publick service, in the year 1714. This having been recommended to their care, and appearing to them to be necessary for his majesty's and the publick service, they have reason to think they have now abundantly supplied the defects in the former provision; and in this assurance they humbly present this bill also for the royal assent.

liament

1714.

The French
envoy afraid
of insults.
Hist. Reg.

liament of Great-Britain, and the last of queen Anne's reign.

The French minister, monsieur d'Iberville, who had behaved himself with great haughtiness, was, upon the queen's death, seized with such an apprehension of being insulted by the people in his own house, that he sent a letter to the duke of Ormond, to desire his protection; and, the duke acquainting the lords-justices with it, some of the trained-bands were ordered to guard his house. That minister had, before he received any orders from his court, assured the regency, 'That his master would inviolably maintain the treaty of peace concluded at Utrecht, particularly with relation to the settlement of the British crown in the house of Hanover.' And the earl of Peterborough, who arrived in London from France on the 7th of August, told some of the regency, that the French king had given him the like assurance; Mr Prior, having likewise, by orders of the regency, notified the queen's death to the French king, received the same answer. Some days after, Iberville received a letter from the marquis de Torcy, approving what he had done; and another from the French king to the British regency with the same assurance, importing likewise,

The French
king owns
king George.

'That having been informed, that reports had been spread, as if he designed to make alterations in the late renunciations, he thought fit to declare, as he had already done to the earl of Peterborough, that these reports were altogether false and groundless: that, the king of Spain having sent the cardinal del Guidice as ambassador to France, which might create some suspicions, his most christian majesty had desired the king, his grandson, to recal him: and that the elector of Brunswick having, some time before the death of the queen, signified to his most christian majesty, that, whenever his succession to the crown of Great-Britain should take place, he would cultivate a friendship with his most christian majesty, he (the king of France) on his part, assured the lords-justices, that he would do all that lay in his power to maintain a good intelligence and amity between the two crowns.' But,

The answer, which Mr Prior received about the Catalans, was not altogether so agreeable to England. The regency had writ to the court of France, 'That, his most christian majesty having promised to interpose his good offices with the king of Spain in favour of the Catalans, they were surprized to find, that, instead of that,

his

his most christian majesty had sent his troops to assist those of his grandson, in the reduction of Barcelona; and that they hoped, his most christian majesty would make good his promises, and consider the ill consequences of his suffering his forces to act against a people, who were under the protection of the crown of Great-Britain.' To this Mr Prior received an answer, 'That the most christian king had already made good his engagements in behalf of the Catalans: that their obstinacy was the cause of all the misfortunes, that might befall them: and that his glory would not suffer him to recall his troops from before Barcelona.' Some days before this answer was transmitted to England, the marquis d'Almanza, one of the deputies from the principality of Catalonia, made application to the lords-justices, and communicated to them a letter he had received from the governor of Majorca, with an account of the condition of the city of Barcelona. Upon which they ordered, that a copy of the letter, which they had written to the court of France, should be communicated to the marquis; and he was further assured that directions had been sent to admiral Wilsart, not to molest the inhabitants of Barcelona, or hinder any relief to be brought to them by sea.

The lords-justices were sensible how little the French king's assurances, that he would not disturb the protestant succession, were to be relied on; and therefore, though they had sent a reinforcement to the garrison of Portsmouth, under the command of colonel Pocock, they ordered another draught of five hundred out-pensioners of Chelsea-hospital to march thither, under the command of colonel Jones; and, at the same time, ordered the justices of the peace of London and Westminster to take exact lists of the popish recusants, and to seize their arms and horses; and, upon the landing of the seven British battalions from Ostend, a battalion of the earl of Orkney's royal regiment of Fusiliers was commanded to march to Portsmouth, which made a strength sufficient for the defence of that important place.

The ill conduct of the late ministry with relation to the treaty of commerce with Spain soon appeared. For, on the 19th of August, the merchants, trading to that kingdom, laid before the regency the difficulties under which they laboured, by means of a large donative which king Philip was about to extort from the British and other merchants

1714.

Complaints
of the mer-
chants a-
gainst the
king of
Spain.
Hist. Reg.

1714.

chants (r). This increased the general indignation against the managers of the Spanish treaty, who had settled our trade to Spain in so precarious a manner, as made it subject to the will and pleasure of the king of Spain, whose ministers believed themselves so secure of ours in England, that they thought they might put any hardships on our merchants. But upon the news of the queen's sudden death, and of the vigorous proceedings of the regency, they entertained other sentiments, and recalled the orders they had given for exacting the donative.

Lord Bolingbroke removed.

About the same time, Mr Murray arrived express from Hanover, with an account, that the king had deferred his

(r) An account of this affair was published in the two following letters from Cadiz :

Cadiz, July 29.

'The king of Spain has demanded a donative in this place, and in other parts of Spain, and particularly of the British merchants and other foreigners inhabiting here ; and their proportion of the donative is settled by a note left at each of their houses, regulating what each person is to pay, which the merchants have refused to comply with, as being contrary to treaties in force, and have represented the same to the king of Spain : But, instead of finding redress, they have had soldiers quartered upon them, and expect the number to be doubled every day, during the time they shall refuse to pay the donative. However, they have resolved to let their effects be seized, rather than comply with a demand so unjust in itself, and so dishonourable to the British nation, of which there is no precedent.

Cadiz, July 29.

'Our factory is insulted the

'most that ever was yet experienced from this government ; a donative (or free gift) being endeavoured to be extorted by violence from us. To which effect our governor has put guards of soldiers in our houses, threatening to double them at 8 rials value per diem, which amounts to half a dollar, until we pay the said donative, which amounts to 125 pieces of eight on some, on others more or less. Thus the principal of our articles and privileges are trampled on. This is the respect shewn to our queen and nation, and the honourable usage given to her subjects here. And what can be expected for the future ? We hope a sudden and determined resolution will be taken at the court of England, to get satisfaction for this arbitrary dragooning the British subjects ; and that a stop will be put to their ever pretending here any more to such an extortion and breach of public faith ; otherwise no living, nor can we be ever secure here.' Hist. Reg.

departure

1714.

departure for some days; and brought several orders for the regency and council, particularly for the preparing a patent to create the prince royal, prince of Wales; and for removing the lord Bolingbroke from his office of secretary of state; which was done on the last of August, with particular marks of displeasure; three of the lords of the regency, the dukes of Shrewsbury and Somerset, and the lord Cowper, having taken the seals from him, and locked and sealed up all the doors of his office.

The union between England and Holland was so necessary for their mutual preservation, that it was one of the first cares of the lords of the regency to notify to the States the queen's death, and his majesty's peaceable accession to the throne. This was done on the 4th of August by the earl of Strafford, the British ambassador in Holland, who made a speech on the occasion, wherein he observed, that, by the act of succession, all officers were to continue in employment six months after the demise of the queen, unless the successor otherwise disposed of the offices; and that consequently he remained still ambassador of the crown of Great-Britain. Upon the arrival of Baron Bothmar's secretary with the news of the queen's death, monsieur Klingraef, the resident of Hanover, presented to the States a memorial, with a letter from the king, which was lodged in his hands, to be in readiness, if there should be occasion, by which the king required of the States the performance of their guaranty of his succession to the crown of Great-Britain. The States assembled that very night, upon Klingraef's delivering the king's letter; and, the next day, came to a resolution to return this answer, 'That as soon as they were informed of the sickness and death of the queen, they immediately bethought themselves of their engagements for the guaranty of the succession to the crown of Great-Britain in the protestant line, as it was settled by acts of parliament. That, at the same time, they considered with themselves, not only how much it concerns the kingdoms of Great-Britain, that the settlement of the succession in the protestant line should have intire effect, but also how deeply the protestant religion, the safety of their state, and the liberty of all Europe, were interested therein. That therefore they unanimously resolved to perform their engagements, and to execute all that by treaty of mutual guaranty they had promised. That as they received the account of the queen's death with

The earl of Strafford notifies to the States the king's accession.

Aug. 15.
N. S.

1714.

grief, so it was very acceptable news to them, that his electoral highness, as the next heir in the protestant line, was instantly proclaimed king by the unanimous advice of the council, and with the acclamations of the people. That they most heartily congratulate him thereupon, and wish him all further happy successes in a prosperous reign. That from this good beginning they hope his majesty will take peaceable possession of his kingdoms without any opposition. That, nevertheless, they were willing and ready to perform their engagements, and to take all proper measures with him for that end. That, it being likely his majesty will speedily go for England, they will be very glad, if he will please to take his journey through their dominions. That they will endeavour to facilitate his passage with all that is in their power; and that they will at all times shew the high esteem they have for his majesty's person and friendship; and that they have his interests as much at heart as their own.' This resolution was, with a letter to the king, delivered to the resident of Hanover; and, at the same time, the States dispatched letters to the several provinces, desiring them forthwith to provide the necessary funds for setting out a strong squadron of men of war; of which twelve, that were said to be designed for the Baltick, were almost ready to put to sea.

Treaty between Spain and Portugal procured by the regency.

About the middle of August, the count de Tarouca, ambassador plenipotentiary of Portugal, in a conference with the states-deputies, notified to them the favourable declaration the regents of Great-Britain had caused to be made to Monsieur de Bruciado, the Portuguese envoy at London, 'That Spain should be obliged to conclude peace immediately with the crown of Portugal; or, in case of refusal, his Portuguese majesty might depend upon being assisted by the crown of Great-Britain, conformably to the treaty of defensive alliance between these two crowns.' This declaration having been reported to the states-general, they caused assurances to be given to the Portuguese minister, 'That they would readily concur in all measures his Britannick majesty might judge proper to be taken, for obliging Spain to agree with Portugal, on fair and just conditions of peace.' After these declarations, there was little difficulty in concluding the treaty between Spain and Portugal.

The earl of Strafford having received a letter from the king, to return the states thanks for their resolution about the guaranty, the earl, two days after, made a speech to the

the states, and, among other things said, 'That they had thereby engaged the friendship of a king, which could not but be very advantageous to them, as well in regard to the neighbourhood and powerfulness of his kingdoms and states, as with respect to his majesty's personal merit, who, for his many excellent qualities, would be esteemed and courted by all Europe, as well as loved and respected by his own subjects: and that as he was known to be a prince, who was a religious observer of his word, they might be assured, that, in gaining his friendship, they secured to themselves a solid and lasting support.'

The court of France, confounded by the queen's sudden death, followed the best counsel, which, in the present condition of their affairs, they could take, which was, to acknowledge king George. Accordingly, besides the fore-mentioned declarations, monsieur de Chateauneuf, their ambassador at the Hague, made the earl of Strafford the usual compliments of condolance upon the death of the queen, and, at the same time, those of congratulation upon the king's accession to the throne. And it is observable, that the pretender, who, by our ministers and those of France, had been put in hopes of carrying his point, as appears by his own declaration, and by what passed between our ministers and the abbot Gaultier, was intirely disappointed. For, upon the news, which he received the 14th of August, N. S. that the queen was either dead, or past recovery, he posted immediately for Versailles: but the king of France having notice of it, the marquis de Torcy sent to tell him, 'That his most christian majesty was surprized at his being returned into his dominions, knowing the engagements he was under, in respect to the succession of the crown of Great-Britain in the house of Hanover; and therefore desired him to quit his territories.' Upon this the pretender, having made a melancholy visit to the queen-dowager of England at Chaillot, returned to Barleduc, under the deepest concern for the ill success of his journey; and set out afterwards for the court of Lorrain at Leneville, from whence he went to Plombieres, to drink the waters of that place.

It will not be improper to take notice of some remarkable passages at Hanover, before the news of the queen's death reached that court. On the 26th of July, N. S. the earl of Clarendon, envoy extraordinary from the queen, arrived at Hanover; but, the elector being then at Herenhausen, it was the 4th of August, N. S. before the earl was conducted thither to have his first audience: one reason of the

1714.

Affairs at
Hanover be-
fore the
news of the
queen's
death.
Annals.

1714. delay was, that the king of Prussia arrived there incognito on the 30th of July, N. S. The cause of this interview between these two princes at this juncture was variously discoursed of; but, very probably, the design of it was to cultivate a good correspondence between them, which their enemies had endeavoured to interrupt. The French court and ours knew, it would not be easy to defeat the protestant succession, while these two families, which were both included in the intail, were united in affection and interest; and therefore they attempted to divide them, by proposing to the king of Prussia's minister here, that his majesty should immediately succeed after the queen, if he would fall in with the measures of the two courts. But that king was too discerning to be caught in that snare: he knew, that their design was only to set the two families at variance, which must not only defeat the protestant succession, but ruin the interest of the reformation, render the two families incapable of supporting their own or their country's interest against the designs of France and Sweden, and facilitate the pretender's way to the throne of Great-Britain. He therefore not only rejected the proposal, but likewise assured the elector of Hanover, that he would assist him with all his power to maintain his title to the British crown; and having concerted measures with him for their common interest, returned to Berlin, the 3d of August, N. S.

Mr Craggs, who had been sent to Hanover with an account of the queen's dangerous illness, arrived there on the 16th of August, N. S. and went directly to Herenhausen with the privy-council's letter to the king. The same night three other expresses arrived at Hanover; two to the king, and one to the earl of Clarendon, with the news of the queen's death; which the earl communicated to him at two o'clock in the morning. This was confirmed, four hours after, by the arrival of monsieur Godike, secretary to baron Bothmar, with the farther account of his majesty's being proclaimed king of Great-Britain in the cities of London and Westminster, without the least shew of opposition. The king received this news, so much to his glory and advantage, with a serenity of countenance and composure of mind, peculiar to him. The baron de Rhede, his first chamberlain, was immediately dispatched to Berlin, to desire an interview with the king of Prussia, before his departure for Holland. But, that prince, having begun his journey to Koningsburg in Prussia, before the baron's arrival at Berlin, the interview was prevented. However,

1714. }
 Soon as the king of Prussia received from the Hague the news of the queen's death, and of the proclaiming of king George, he immediately declared his resolution to contribute his assistance to the maintaining of that succession, in case it should be disputed; and sent orders to his ministers at the several courts, particularly to Mr Bonnet, his resident at London, to notify, 'That, as his majesty had constantly declared himself in favour of the succession of the house of Hanover to the crown of Great-Britain, so now he was affected with peculiar joy to hear, that the settlement of that crown had, in due time, taken effect, by the proclaiming of king George; the rather, because it visibly tended to the promoting the protestant religion, and the true interest and welfare of the British nation: and that, in case of need, he was ready to employ all the power which God had put into his hands, in assisting to maintain that succession against all, who might offer to dispute it.'

The neighbouring princes and states likewise either went in person, or sent envoys and deputies to congratulate his majesty's happy accession to the crown; which occasioned a great concourse of people, and retarded the king's departure; the thoughts of which so afflicted the inhabitants of Hanover, who had so long enjoyed the blessings of his mild government, that they were inconsolable. The king, in order to alleviate their grief, caused intimation to be given to the magistrates, that they might ask some favour of him; and, at their request, the excise of provisions was taken off, the debts of insolvent debtors were discharged, and their persons set at liberty.

The king having committed the government of his German dominions to a council, at the head of which he placed his brother, prince Ernest, took into consideration what part of the royal family he should carry with him, and then determined, that the prince should go with him; that the princess, his consort, should follow a few weeks after, with the two eldest princesses; and that the young prince Frederick George should remain at Hanover with his youngest sister. The king also named those of the household, who were to attend him to Great-Britain (s).

The

(s) These were, the baron de Kilmanseck, master of the horse; baron Bernsdorf, first minister of state; baron de Goritz, president

of the finances, and minister of state; monsieur de Roberthon, privy-counsellor to the king; count Platen, great chamberlain;

1714.

The king
sets out for
England.

The king set out from Herenhausen the 31st of August, and in four days came to Utrecht, from whence he went to the Hague. He had there several conferences with the States, wherein the assurances, which had been mutually given by letters of friendship and effectual assistance, were confirmed (t). At length, on the 16th of September, the king and prince embarked at Orange-Polder, on board the Peregrine and the Mary yacht, which having, soon after, joined the squadron of English and Dutch men of war, that waited for them, under the command of the earl of Berkeley, they all sailed for England, with a fair wind; and, the next day, about nine in the evening, arrived safe at the Hope, where the admiral thought fit to drop anchor. There being a thick fog the Saturday morning, the yacht did not go up the river till the afternoon. The king and prince went into a barge in Long Reach, and arrived at Greenwich about six o'clock in the evening. The duke of Northumberland, captain of the life-guard, and the lord chancellor, at the head of the lords of the regency, received him at his landing, and complimented him on his safe arrival. The king chose to walk to his house in the park, accompanied by most of the nobility, and great numbers of the principal gentry, through an infinite crowd of persons of all conditions. Before he left his yacht, he

lain; baron de Rhedo, great chamberlain; the marquis de la Foret, chamberlain; baron Schutz and his two brothers, one gentlemen of the bed chamber to the king, the other to the prince; monsieur Reiche, privy counsellor, and secretary to his majesty; baron de Hartoff, counsellor of war; monsieur Schraden, secretary of embassies; monsieur Hammerstein, gentleman of the king's bed-chamber; monsieur Kempe, gentleman of the bed-chamber to the prince; two physicians, Dr Steigerthal and Dr Chapuzeau; two surgeons, and two valets de chambre.

(t) The marquis de Chateauf-neuf, ambassador of France, had

an audience, among other foreign ministers, to compliment the king on his accession; and the report was, that he used these, among other civil expressions, 'There are yet a few difficulties to be removed, to put the finishing hand to the treaties yet depending; but your majesty shall be the arbiter of the peace.' To which the king answered, 'I will be the guaranty of it.' The duke de Ossuna, and the marquis de Monteleone, plenipotentiaries of Spain, came from Utrecht to the Hague, to wait on the king, and had a private audience the 9th of September.

appointed

1714.

appointed the earls of Dorset and Berkeley to be lords of his bed-chamber, and knighted Mr William Sanderfon, captain of the Peregrine. After the king had undergone the fatigue of passing through the crowd, and of giving his hand to all, who approached him, he retired to his bed-chamber, and sent for several of the nobility, such as had most distinguished themselves by their zeal for his succession. It was observed that the duke of Ormond, the lord chancellor, and the lord Trevor were not of that number. The earl of Oxford was not at Greenwich that evening, but was one of the earliest there the next morning; but had the misfortune to be undistinguished among the croud, and with great difficulty, had at last the bare honour of kissing his majesty's hand, without exchanging a word with him. Nor did the earl escape such reflections from the spectators, as his conduct had justly deserved. On the other hand, the duke of Marlborough appeared there, justly favoured by the king, and looked upon (though not yet declared) as captain-general (u). The dukes of Shrewsbury, Somerset, Bolton, Argyle, Montrose, Rutland, and Montague; the marquis of Dorchester; the earls of Dorset, Bridgewater, Sun-

(u) The duke of Marlborough, having been detained a fortnight at Ostend by contrary winds, happened to land at Dover, the day the queen died. He knew nothing of the queen's death, no more than the mayor and jurats of Dover, by whom he was received in their formalities with the acclamations of the people, and with a discharge of a great number of guns from the plat-form, but none from the castle, which are used only in royal salutes. The reason of his coming at that time is not known for certain. He had been invited first by the lord-treasurer Harley, and afterwards by the lord Bolingbroke, and great promises were made him. The compliment went so far, that orders were said to be sent to the commanders of the castles and forts on the coasts of

Kent, Essex, and Suffolk, to pay the same honours, by the firing of guns wherever he landed, as was done when he returned in triumph from his glorious campaigns. But it seems this ceremony was soon after countermanded by an express. However, the duke consented to make a kind of publick entry. About two hundred inhabitants of Southwark, with their member at their head, resolved to meet and attend him through the Burrough. He was likewise attended as he passed through the city with the like number on horseback. His coach happened to break down at Templebar, and he was forced to go into another. He was censured by his enemies for this conduct, as if it was a sort of insult on the queen, who was but just dead.

1714. derland, Carlisle, Berkeley, Nottingham, Portland, Orford, Wharton, and Cholmondeley; the lord viscount Townshend; the lords Ossulstone, Sommers, and Halifax; the bishop of Salisbury; general Stanhope, Mr Lechmere, and many others, received particular marks of favour; and the duke of Argyle was declared groom of the stole to his royal highness; colonel William Car and colonel Tyrrel, grooms of the bed-chamber; the earl of Hertford, the lord Finch, the lord Lumley, and colonel Oughton, gentlemen of the bed-chamber to the prince.

The king's
entry.

On the 20th of September, the king and prince of Wales made their entry with great pomp and magnificence. There were in the king's coach the prince and the duke of Northumberland, captain of the life-guard in waiting. Above two hundred coaches of the nobility and gentry, all with six horses, preceded the king's. When he came to St Margaret's hill in Southwark, he was met by the lord-mayor, aldermen, recorder, sheriffs, and officers of the city of London; in whose name Sir Peter King, recorder, made a congratulatory speech. The lord-mayor delivered the sword to the king, who returned it to him, and he bore it in the procession bare-headed. The royal pomp continued till his arrival at his palace of St James's, and was favoured by as a fair a day as was ever known in that season of the year.

The court was extremely numerous the next day, when, besides the British nobility and gentry, several foreign ministers made their appearance; particularly those of France (x), Poland, Prussia, and Sicily, took that occasion to congratulate his majesty's happy accession to the throne, and safe arrival in England (y).

Before

(x) Ibberville the French envoy said on this occasion, 'That, as soon as his majesty's leisure would permit, he would desire an audience, to repeat to him the assurances, the marquis de Chateauneuf had given his majesty at the Hague, on the part of his most christian majesty.'

(y) An accident happened this day, which interrupted a little the gay humour the court was in. Charles Aldworth,

member of parliament for Windsor, had imbibed, at St Germain's in France, strong prejudices against the Hanover succession, which, at his return to England, he made no scruple of publishing, and confirmed them by frequent drinking the pretender's health. This drew upon him several quarrels, in which he met with some disgraces; and, in the latter end of the queen's reign, he set so great value on that merit of his, that he

1714.

Situation of
affairs at
king.
George's
accession.

Before we proceed to the events of this reign, it will be proper to give a general idea of the state of affairs in Great-Britain and Ireland.

The animosity between the several parties, which even at this day divide England, was, at king George's accession, higher than ever. The whigs, who had been in disgrace the four last years of the queen's reign, were full of resentment at the usage they had received from the tories, and hoped to have full satisfaction under the new reign, which they looked upon as the end of their humiliation. The tories, on their part, were extremely apprehensive of a downfall, and this apprehension had engaged several of their leaders in practices not only dangerous, but directly contrary to the measures, the nation had taken with the two last sovereigns and the house of Hanover. To the views of these men were ascribed the late peace with France, and the violence offered by the queen to her allies, to compel them to a reconciliation with that crown, and to the sacrifice of the fruits of their victories.

Moreover, the principles of the revolution had been far from being universally embraced. Not only the papists espoused the abdicated family, but also great numbers of churchmen; and it was much to be feared, that they would join with the catholics, to dethrone a prince, whom they looked upon as a foreigner. The famous distinction of a king *de jure*, and a king *de facto*, was not yet forgot, nor the doctrine of passive obedience; and several refused to take the oaths of allegiance and abjuration.

He thought himself not sufficiently taken notice of, which made him a little intractable. He took liberties in railing at the old ministry; and, to ingratiate himself with their successors, charged it as a crime in colonel Chudleigh of the foot-guards, that he had drank the duke of Marlborough's health. Colonel Chudleigh, the cousin of the other colonel, meeting unexpectedly Mr Aldworth in the presence-chamber at St James's, expostulated with him about it; and, some by-standers expressing their surprize, that men, who had publicly drank

the pretender's health, should dare to appear in that place, Mr Aldworth came to hard words with colonel Chudleigh, and challenged him; upon which they both went out, and fought in Marybone-fields, notwithstanding colonel Bisset's endeavours to prevent it. Mr Aldworth was killed on the spot; and the king being told of it, expressed his indignation at people's quarrelling in his palace; but said, that, as he came to maintain the laws, he would leave the matter wholly to their decision.

Scotland

1714.

Commotions
in Scotland.

Scotland was generally dissatisfied with the union. They were apt to consider themselves as degraded to a province of England. They had always been pleased with the title of an independent kingdom, heartily lamented the loss of it, and as heartily wished to recover it. That the Scots should, at king George's accession, be in these sentiments, is no great wonder, since it requires ages to root out of the minds of a nation such sort of impressions, however ill-grounded. Accordingly, the Scots began to shew their discontent soon after the queen's death, of which there is the following account: the regency having issued a proclamation for a reward of 100,000*l.* for seizing the pretender, they were informed that the pretender's friends in Scotland designed an insurrection; and that some of them had been seen to go in arms towards the highlands; upon which they ordered a good number of half-pay officers, especially of those belonging to the Scots regiments, to go thither immediately, that, in case of necessity, they might raise the militia of the country, under the orders of major-general Whetham, who commanded in chief there. Though this precaution was necessary, yet the Scots jacobites were so confounded, that they could do nothing considerable; so that the chief of them only held some consultations, and retired to their lurking places. Some of the highlanders appeared in a body near Fort William at Inverlochy, in the western highlands. But, the governor sending out a detachment against them, they marched off; so that they could do nothing at that time in Scotland, but only steal some cattle, and took an opportunity by night to proclaim the pretender. The government ordered them to be prosecuted; and, by way of prevention, the duke of Gordon was confined by the regency to the city of Edinburgh, on his parole; his son the marquis of Huntley, to his house in the north; and his son-in-law, the lord Drummond, to his castle of that name. The duke of Athol, lord privy-seal, who had caused the king to be proclaimed at Perth, was ordered to continue at his castle of Blair in the highlands, to preserve the peace of the neighbourhood: and the regency being informed, that the highlanders had appointed huntings, when it is usual for the clans to attend their chiefs, they forbade those huntings, and ordered Sir Donald Macdonald of Slait, one of those chiefs, suspected to be in the pretender's interest, to be made prisoner, and sent to the castle of Edinburgh. The lord Drummond was also ordered to be seized, but escaped to the highlands, from whence

whence he wrote to the lords justices, and offered bail for his good behaviour. The earl of Broadalbin, who had sufficiently declared himself for the pretender, though he had abjured him when he sat as one of the sixteen Scots peers, thought fit to retire to an inaccessible castle in a lake; upon which a detachment of foot was ordered to guard the avenues; and captain Campbel of Glendoroul, who had a commission by the earl of Oxford's means, to raise an independent company in the highlands, was taken at Inverlochy, and from thence sent prisoner to Edinburgh. The late lord-treasurer had, a little before, set up a new chamberlain's court in Scotland, the old one having been long discontinued, because arbitrary princes had made it a grievance to the subject. The design of reviving it now was only for a cover to bestow money upon such, as were in the court-measures. Accordingly, the earl of Mar, who managed the affairs of Scotland, recommended his own brother-in-law, Sir Hugh Paterfon of Banockburn, and the lord Haddo, eldest son of the earl of Aberdeen, to be two of the commissioners, to whom the queen had granted a bill of 1000*l.* each, payable by Mr Douglass, receiver-general of the land-tax. The lord viscount Kilsyth, one of the sixteen Scots peers, and the lord Lyon, king at arms, two other relations to the earl of Mar, had also grants for the like sum. Soon after the queen's death, Sir Hugh Paterfon demanded payment of his bill; but the earl of Ilay, lord-justice-general of Scotland, interposed, and acquainted the regents how unreasonable a thing this was; and particularly that men, suspected of disaffection to his majesty's government, should have the publick money distributed among them. Upon this the lords regents ordered the duke of Athol, lord privy-seal, to put an immediate stop to all grants, that were not passed before the queen's death; which disappointed those gentlemen of their money, and saved 4000*l.* to the government.

When the king was proclaimed at Glasgow, forty or fifty unknown persons, while the magistrates were busy in attending the proclamation, took an opportunity to pull down the episcopal meeting-house there, where one Mr Cockburn had set up the English liturgy, by countenance of the late government, more to disgust the citizens, than in hopes of gaining proselytes. As soon as the magistrates heard of it, they sent to apprehend the actors, and to prevent the pulling down the house; but they had done their work, and made their escape, before the magistrates came thither;

1714.

thither; so that none of them were discovered or taken. The jacobite party took occasion from hence to reflect upon the presbyterians, as if they had persecuted those of the church of England, and insert an account of it in the post-boy, with all the aggravating circumstances, that their malice and invention could suggest. Complaint was likewise made of it to the regency, who ordered the lord advocate of Scotland to inquire into it. There was found good reason to suspect, that the thing was done on purpose by the disaffected party, to raise a clamour; because Mr Cockburn, the day before, had retired with his family and effects to Edinburgh, though the magistrates of Glasgow had given him assurance of protection. This account being taken upon oath by the magistrates, and sent up to the regency, put an end to that matter. Thus stood affairs in Scotland, at the time of king George's accession.

As for Ireland, the chief thing to be dreaded there was the great number of papists, who are ever ready to throw off the yoke of the English. A little more conduct in king James II. and a little more assistance from France, would have endangered that kingdom. And, at the time of the queen's death, popery was in much the same situation.

Indeed there seemed to be no danger from any foreign power. Holland would not fail to fulfil all engagements: the king of himself was powerful: he had on foot a good number of troops, which, without obstacle, could have been embarked in his own dominions. But, after all, Lewis XIV. was still alive: it could not be doubted, but that it was against his will that he had acknowledged the protestant succession, and promised not to disturb it. He was assuredly in the same sentiments still, and perhaps thought himself more obliged to keep his word with king James, on his death-bed, never to forsake his son, than the engagements, the necessity of a peace had forced him into. It may be, what he would not do directly, he might do indirectly; with money, may not troops, arms and ships soon be had? It will be seen in the course of this history, that, without any aid, the English and Scots raised such an insurrection, as caused great disturbances; and what would they have done, had they been assisted! In vain would the king have depended on his own troops; they could not be brought over without the consent of the parliament, and the English are too jealous of their liberty, to suffer any foreign forces, and it is with some sort of regret, that they bear even those of the States,

Such

Such was the situation of the British dominions and of Europe, when king George came to the throne; and therefore it is no wonder, that, upon his arrival in England, his first proceedings expressed a dislike of the Tories and the late ministry, and shewed his attachment to the Whigs. The persons he had named for the regency, were a plain proof what the friends of the late ministry were to expect. He had even before his arrival, removed the lord Bolingbroke (z), and appointed the lord Townshend secretary of state in his room. The day after his landing at Greenwich, he sent the new secretary to acquaint the duke of Ormond, that he had no longer occasion for his service as captain-general, but would be glad to see him at court.

These changes were followed by many others: the duke of Marlborough was made captain-general of the land-forces, colonel of the first regiment of foot-guards, and master of the ordnance. The lord Cowper was made lord-chancellor, the earl of Wharton privy-seal, and the earl of Sunderland lord-lieutenant of Ireland. The duke of Devonshire was appointed steward of the household in the room of earl Paulet, and Mr James Stanhope secretary of state in the room of Mr Bromley, and the duke of Montrose in the room of the earl of Mar. The duke of Somerset was made master of the horse, the duke of St Albans captain of the band of pensioners, and the duke of Argyle commander in chief of the forces in Scotland. Mr William Pulteney was made secretary of war, and Mr Robert Walpole receiver and pay-master-general of all the guards and garrisons, and all other forces of Great-Britain, and pay-master to Chelsea hospital, in the room of Mr How and Mr Moore. The privy-council was dissolved, and a new one declared, of which the earl of Nottingham was president (a).
Out

(z) Shortly after the king's arrival, a message having been sent to the lord Bolingbroke, in the country, for his coming to town, to be present at the taking off the seals that had been put on his office; he excused himself, saying, 'The same might as well be done by one of his secretaries; but, if he could be so happy as to have the honour to kiss the king's

hand, he would fly to throw himself at his majesty's feet.'

(a) The rest were: the prince of Wales, archbishops of Canterbury and York, lord chancellor Cowper, the dukes of Shrewsbury, Devonshire, Somerset, Bolton, Marlborough, Argyle, Montrose, Roxburgh, Kent, marquis of Lindsey lord great-chamberlain, the earls of Wharton privy-seal, Pembroke, Suffolk,

1714.

Out of the privy-counsellors a cabinet council was formed, consisting chiefly of the lord-chancellor, the duke of Marlborough, the earls of Nottingham, Sunderland, the lords Hallifax, Townshend, Sommers, and general Stanhope. All these had distinguished themselves by their professed opposition to the late measures, and the peace.

The governors of places were also most of them changed. General Erle was made governor of Portsmouth. There were as many alterations in Ireland as in England. Before the king's arrival, the behaviour of Sir Constantine Phipps had been such, that the regency had removed him, as well as the archbishop of Armagh, from being lords-justices of that kingdom, and in their room appointed the archbishop of Dublin and the earl of Kildare, for which they had the king's letter of approbation and thanks (b). Alan Broderick was made lord-chancellor of Ireland, and William Whitshed chief-justice. The privy-council was also dissolved, and another named, of which the duke of Ormond was one (c).

All these changes were made before the coronation, which was fixed to the 20th of October. The king is by some blamed, for not having joined to the great number of whigs a few more of the tories, which they suppose would have prevented the general discontent of that party. But it was very difficult for the king not to do as he did. The inclination

folk, Sunderland, Anglesea, Carlisle, Abington, Scarborough, Orford, viscount Townshend, bishop of London, the lords Sommers and Hallifax, Thomas Coke vice-chamberlain, James Stanhope secretary of State, Sir Thomas Parker chief-justice, Thomas Erle lieutenant-general of the ordnance, and Robert Walpole pay-master general.

(b) On the 14th of Sept. the regency had advice from Dublin, that, upon the removal of Sir Constantine Phipps, and the archbishop of Armagh, from being lords-justices of Ireland, there was an universal joy among all the friends of his majesty's succession; and that some of the populace, who were filled with

resentment against Sir Constantine, went to his house, in order to insult him; but he had beforehand retired to the castle.

(c) Some time after the following creations were made in Ireland:

George Cholmondeley, esq; baron Newburgh.

Allan Broderick, esq; baron Broderick.

Sir George St George, baron St George.

Sir Arthur Cole, baron Ranelagh.

Sir John Percival, baron Percival.

Richard Fitz Patrick, esq; baron Goran.

George Evans, esq; baron Carbery.

which

which the pretender had indiscreetly asserted, the queen had for him in the latter years of her life, could be ascribed only to those who had the management of affairs. The ministry, resolutely bent to end the war, notwithstanding the complaints of all the allies (who placed their safety in the humbling of France) and particularly, notwithstanding the repeated opposition of the duke of Hanover, they could not but be sensible, that, if he one day became their master, he would not fail to sacrifice them to his own, and the resentment of the allies, whose projects they had disappointed, and whose hopes they had confounded. It was therefore natural to think, they had taken measures to prevent any danger from him. A thousand circumstances supported these conjectures: the dowry paid to king James's queen: the small reward offered for taking the pretender: the conniving at the lifting of men in his service: the suffering the Revolution to be publicly talked and preached against, and doctrines to be vented, destructive of the principles on which it was built: the little care to have an eye to Scotland, to redress the grievances complained of by that nation; and which were capable of driving them to extremities: England unprovided of troops, as well as Scotland and Ireland, whilst under frivolous pretences several regiments were kept in Flanders: all this amounted to a sort of demonstration, that the queen's death alone had prevented the defeating of the protestant succession, and the destroying all that had been done for above twenty years to secure and justify the exclusion of king James and his pretended heir. Now can there be to a prince attacked in so important a point, any room for pardon or dissimulation?

Besides, there was a kind of necessity to espouse one of the two parties, who had by turns prevailed under king William and queen Anne. By that means he would be freed from the continual trouble of managing and keeping the balance even between them, and perhaps from the danger of having both turn against him. The whigs were really enemies of France and the pretender, and could not be otherwise; they had constantly declared for the protestant succession, and though, in some of their proceedings, the spirit of party no less appeared than a true zeal, yet they might be depended upon. To the whigs the court of Hanover was indebted, for obliging the French king and the duke of Lorrain not to suffer the pretender in their dominions, and for the advices of what was contriving against the

1714.

the interests of the protestant successor. This being the case, there was no room to deliberate which party to chuse. King William, accustomed from his youth to dissimulation, might have deliberated, or seemed to have done so: but the elector of Hanover, absolute master in his German dominions, and consequently unused to faction and party, was hardly capable of that dissimulation, so requisite in a government like that of England.

Notwithstanding all the changes and the disgrace of so many persons, no ill effects followed. Addressees from the universities, the counties, cities, burroughs and corporations, expressed the publick joy and satisfaction at the king's accession, though in a very different stile; for some insinuated that the protestant succession had not been in danger, whilst others spoke of the late ministry in very severe terms, and mentioned the utmost dread of their measures (d).

The

(d) The address of the university of Cambridge, after condoling the queen's death, and congratulating the king's accession, proceeds as follows:

'It would be unpardonable
'folly and downright infatuation,
'if any of your majesty's
'protestant subjects should turn
'their eyes to a popish pretender,
'who can never reign over
'us but to the certain loss of
'every thing, that ought to be
'dear to us, either as we are
'Britons or protestants. But
'then your majesty's most loyal
'university must be utterly incapable
'of a thought, so destructive
'to our most holy faith, so opposite
'to our happy constitution both
'in church and state, so full of ingratitude
'to God, and of injustice to your majesty,
'who, by the death of our late sovereign,
'hath now alone the rightful
'and undoubted title to the imperial
'crown of these realms,
'which receives a new lustre

'by your majesty's happy accession to it.

'Out of a deep sense of these things,
'and in obedience to the just and wholesome laws
'of the realm, and in a conscientious regard
'to our repeated oaths, we most humbly
'presume to assure your majesty, that as our own
'studies and endeavours shall always
'be employed in the defence of your majesty's
'sacred person and government, and your just
'and rightful title to our allegiance against the
'pretender, and all other your majesty's
'enemies and opposers whatsoever; so shall it be
'likewise our especial care, that all those,
'who are educated amongst us, be instructed in the
'same true principles of loyalty and duty to your majesty.'

The address of the university of Oxford was in a different stile:

'The inexpressible loss, we have sustained by the death of
'our

The first time the king was present at the privy-council, 1714.
after he had taken the oath relating to the security of the
church of Scotland, he made the following declaration :

‘ Having
The king’s
declaration
in council.
Sept. 22.

‘ our late sovereign of blessed
‘ memory, would have been
‘ insupportable, had not God,
‘ in his great goodness to this
‘ nation, supplied it to us by
‘ your majesty’s happy and quiet
‘ accession to the throne. With
‘ the prospect of this blessing
‘ we comforted ourselves, as of-
‘ ten as we apprehended that
‘ precious life to be in danger ;
‘ for, knowing the sincerity of
‘ our hearts, we never suspect-
‘ ed, that any persons would
‘ be so regardless of their duty
‘ and of their interest, as not
‘ to support, with the utmost
‘ zeal, that succession, to which
‘ they were bound by the most
‘ solemn oaths, and on which
‘ the preservation of our reli-
‘ gion, laws, and liberties, did
‘ next, under God, so mani-
‘ festly depend. Our expecta-
‘ tions, our wishes, and our
‘ prayers, have been answered
‘ by that unanimity, with which
‘ your subjects have recognized
‘ your majesty’s undoubted right,
‘ that impatience they have ex-
‘ pressed to see your royal per-
‘ son in the actual possession of
‘ your throne, and themselves
‘ happy under the influence of
‘ your government.’

The addresses of Orford and
Gloucester were very remarka-
ble. In the Orford address was
this passage :

‘ We hope, that the univer-
‘ sal approbation, with which
‘ your majesty entered your
‘ reign, will be an happy omen
Vol. VI.

‘ of unanimity among us : all
‘ the insinuations, as if the pro-
‘ testant succession was in dan-
‘ ger, must now appear (as they
‘ were) groundless, and only a
‘ contrivance of designing men
‘ to divide us. We can now
‘ have no strife, but who shall
‘ shew the greatest zeal for your
‘ sacred majesty, for our admi-
‘ rable church and happy con-
‘ stitution, in opposition to your
‘ majesty’s enemies, to popery
‘ and schism, and to all anti-
‘ monarchical and republican
‘ principles.’

In that of Gloucester were
these words :

‘ Her late majesty at last by
‘ a happy peace (which God
‘ continue to us and our chil-
‘ dren) secured your majesty’s
‘ quiet succession, which she
‘ had always at heart, and was
‘ careful of through her whole
‘ reign. Your majesty succeeds
‘ in our hearts: no time, no
‘ accident, can make us other-
‘ wise than truly loyal. It is
‘ our principle to obey your
‘ majesty without reserve, for
‘ we think you accountable to
‘ none upon earth: and the
‘ same principles will embolden
‘ us unanimously to resist your
‘ majesty’s enemies, and, with
‘ all that is dear to us, to de-
‘ fend your majesty’s just title to
‘ the crown you wear, against
‘ all persons whatsoever. And
‘ these our inclinations and prin-
‘ ciples we owe to our steady
‘ adherence to the established
X ‘ church

1714.

‘ Having, in my answers to addressess of both houses of parliament, fully expressed my resolution to defend the religious and civil rights of all my subjects, there remains very little for me to say upon this occasion.

‘ Yet having been willing to omit no opportunity of giving all possible assurances to a people, who have already deserved so well of me; I take this occasion also to express to you my firm purpose, to do all that is in my power for the supporting and maintaining the churches of England and Scotland, as they are severally by law established; which I am of opinion may be effectually done, without the least impairing the toleration allowed by law to protestant dissenters, so agreeable to christian charity, and so necessary to the trade and riches of this kingdom. The good effects of making property secure are no where

church of England, the glory of the reformation, truly antient, truly apostolical, for her submission and obedience to kings and governors, for her mild behaviour to those, who have formerly torn out her very bowels. No church upon earth can shew so antient a charter, so unlimited obedience, so universal charity: no church can boast so great a defender. May your love to each other find no bounds. May it please your majesty, we here speak the sense of all your people, who are truly loyal, and are assured they are vastly more numerous than those, who are but occasionally so; and therefore doubt not to send your majesty members of parliament, who are not of those, whose principals are to obey no longer than they are pleased.’

On the contrary, in the address from Nottingham, presented by their member, Mr Plumtree, it is said:

‘ With pleasure we now look

back upon our past dangers, with joy we see those intrigues and stratagems disappointed, which were so artfully contrived by some ill-designing men to effect our ruin, and from that dreadful storm which lately threatened us, and which, by divine providence, and the wise conduct of your majesty, is blown over, we cannot but address ourselves to your sacred person, as our second great deliverer, from a slavish yoke, and a popish impostor.’

In the address from the county of Hereford is this paragraph:

‘ We are the more sensible of the inestimable blessing of your majesty’s accession to the throne, because we had very lately so much reason to apprehend, we were in danger of being deprived of it, by the designs of ambitious men, who, if God had not prevented them, to raise themselves to power and riches, had sacrificed their country to tyranny and superstition.’

‘ so clearly seen, and to so great a degree, as in this happy
 ‘ kingdom ; and I assure you, that there is not any among
 ‘ you shall more earnestly endeavour the preservation of it
 ‘ than myself.’

1714.

At the same time the prince royal was declared prince of Wales, and took his seat at the upper end of the board, at the king's right-hand. Soon after the treasury was put in commission, and also the admiralty. The commissioners of the treasury were the lord Hallifax, Sir Richard Onslow, chancellor of the Exchequer, Sir William St Quintin, Edward Wortley Montague, and Paul Methuen. Those of the admiralty were the earl of Orford, Sir George Byng, George Dodington, Sir John Jennings, Sir Charles Turner, Abraham Stanyan, and George Bailie. John Aislabe was made treasurer of the navy, and the earl of Cholmondeley was appointed treasurer, Hugh Boscawen comptroller, and Edmund Dunch master of the king's household, Dr Samuel Garth was knighted, who had lately published a latin dedication, which he intended to prefix to an edition of Lucretius three years before ; but it was not then thought seasonable.

The treasury
 and admiralty
 put in
 commission

On the 9th of October, N. S. the two eldest princesses of Great-Britain, Anne and Amelia, set out from Hanover, to go, by easy journies, to the Hague ; the youngest princess Caroline being left at Hanover, on account of a late indisposition. Three days after, the princess of Wales set out for Holland, attended by the countess of Pickleburgh ; and, on the 17th, arrived at the Hague, with the two eldest princesses her daughters. The next morning she received the compliments of the States-general, by deputies nominated for that purpose ; and, the weather being fair, she appeared in the afternoon in the Voorhout, attended by a very numerous train of coaches ; and, in the evening, kept a drawing room, at which all the ladies and persons of distinction of that place were present. The next day she received visits from the French ambassador, and other foreign ministers. The earl of Berkeley and Sir John Walter of the green cloth were come thither five days before, having left the squadron of men of war at Helvoet-sluis, with orders for the yachts to come up to Rotterdam. The princess being informed by the earl, that the wind was easterly, on the 20th of October, N. S. she went on board a yacht of the States of Holland, accompanied by the earl of Albemarle, and the rest of the deputies of that province ; by the count of Hanau, and the countess, her sister, prince

1714.

William of Hesse, and the Prince of Anhalt. The earl of Strafford accompanied her also part of her way to Rotterdam, where being arrived, she embarked on board the Mary yacht, and with the two princesses and their retinue, landed at Margate, Octob. 11, O. S. and the next evening arrived at Rochester. The prince of Wales having early that day received the news of her arrival, set out about seven o'clock in the morning, accompanied by the dukes of Somerset and Argyle, and the earl of Bridgewater, lord-chamberlain to their royal highnesses. The prince met the princess beyond Rochester, where she was attended by the countesses of Dorset and Berkely, who had been named two of the ladies of the bed-chamber. Their royal highnesses passed through the city of London in a chariot with six horses, followed by another, in which were the two young princesses, and came to St James's on the 13th of October (e).

Promotions.
Octob. 15.

The day appointed for the coronation drawing near, the king, as usual on such occasions, advanced some of the peers to higher titles, and created some new ones (f). Five days

(e) The princess Caroline, who was left behind, did not come to England till the 24th of May.

(f) Letters patent, Octob. 15, passed the great seal, creating

James Lord Chandos, earl of Caernarvon.

Lewis, lord Rockingham, baron of Throwley in the county of Kent, viscount Sondes of Lees Court in the same county, and earl of Rockingham.

Charles, lord Offolston, earl of Tankerville.

Charles, lord Hallifax, viscount Sunbury in the county of Middlesex, and earl of Hallifax.

Heneage, lord Guernsey, earl of Aylesford in the county of Kent.

John, lord Harvey, earl of Bristol.

Thomas, lord Pelham, viscount Houghton, in the county of Nottingham, and earl of Clare.

Henry, earl of Thomond, in Ireland, viscount Tadcaster in the county of York.

James, viscount Castleton in Ireland, baron Sanderson of Sexby in the county of Lincoln.

Bennet, lord Sherard in Ireland, baron of Harborough in the county of Leicester.

Gervase, lord Pierrepont in Ireland, baron Pierrepont of Hanslop in the county of Bucks.

Henry Boyle, baron of Carleton in the county of York.

Sir Richard Temple, baron of Cobham in the county of Kent.

Henry,

days after, the coronation was performed at Westminster with great magnificence (g). There never was so great an appearance

1714.

The coronation.

Oct. 20.

Henry, lord Paget, earl of Uxbridge.

The same day the king appointed lieutenant-general Cadogan to be colonel of the second regiment of foot-guards, in the room of general Churchill. The dukes of Bolton and Rutland, and the earls of Dorset and Hallifax, were made knights of the garter. The lord Cobham was appointed envoy to the court of Vienna, and the earl of Stair ambassador to the court of France. The dukes of Richmond, Grafton, and Kent, the earls of Lincoln, Dorset, Manchester, Berkeley, Selkirk, Stair, and Orrery, and the lord Carteret, were appointed gentlemen of the bed-chamber; and Mr Howard, brigadier Dormer, brigadier Breton, colonel Ker, colonel Tyrrel, colonel Fielding, and colonel Cornwall, grooms of the bed-chamber.

(g) The forms were much the same as in former coronations; what was particular in this was as follows:

The procession of the officers, and then the peers from Westminster-Hall to the Abbey-church, being closed by two persons representing the Dukes of Aquitain and Normandy, the lords who bore the Regalia, came in turn. The earl of Salisbury, with St Edward's staff; the lord viscount Longueville, with the spurs; the earl of Dorset, with the scepter and cross; the earls of Sunderland, Pembroke, and Lincoln, with the three swords. Then Garter's

deputy with his coronet, between the usher of the black-Rod, and the lord-mayor of London; then the lord great-chamberlain single; then the prince of Wales in his robes of state of crimson velvet furred with ermin; his coronet, with precious stones, and cap borne by the earl of Hertford on a crimson velvet cushion, and wearing a cap of crimson velvet turned up with ermin, by his majesty's permission; his train supported by Adolphus Oughton, and another groom of his bed-chamber, assisted by Henry Killigrew, gentleman of his royal highness's robes. Then the earl of Derby, with the sword of state, between the duke of Montague, lord high-constable for that day, and the earl of Suffolk and Bindon, as earl-marshal of England: the duke of Grafton, lord high steward on that occasion, with the crown, between the duke of Argyle, bearing the sceptre with the dove, and the duke of Somerset with the orb; the bishop of Salisbury with the bible, and the bishop of Litchfield and Coventry with the paten, and the bishop of Bangor with the chalice. Then the KING in his royal robes of crimson velvet, furred with ermin, and bordered with a rich broad gold lace, wearing the collar of the order of St George, and on his head a cap of state of crimson velvet, turned up with ermin, adorned with a circle of gold, enriched with diamonds, supported by the bishops of Durham and Bath and Wells, under a canopy borne by the barons

1714. appearance of lords spiritual and temporal, as on this occasion, no less than seventeen archbishops and bishops, though two sees were then vacant ; all the dukes in or about London, except the duke of Buckingham ; seventy earls and viscounts, and amongst them the earl of Oxford and viscount Bolingbroke ; and as many barons. The demonstrations of joy throughout the kingdom on the coronation-day seemed to be general, and were in proportion as splendid as at London, some few places excepted, where the rabble shewed their hatred to the protestant succession, by riots and outrages

barons of the Cinque ports. The litany was sung by the bishops of Lichfield and Coventry and Norwich, and the sermon preached by Dr William Talbot, bishop of Oxford, father to the late lord-chancellor. The bishop observes in his sermon. ' Queen Anne not only ' passed laws for the further ' establishment of the protestant ' succession, but by her arms, ' and those of her allies, had, ' in human appearance, placed ' it almost out of danger, having, in eight campaigns, so ' glorious in the conduct, and ' so astonishing in the success of ' them, as not to be paralleled ' in history, so far reduced the ' only power, that could interrupt it, that there was little ' more wanting to have completed our security. But whether it was to correct us for ' some sins, whereby we had ' provoked God to anger, or to chastise our confidence, which, ' it may be, we placed too ' much in the arm of flesh ; or ' to convince us, that his providence, which alone began, ' should alone have the glory of ' finishing this great work ; he ' was pleased to suffer us to fall ' into a condition, from which ' nothing else could have relieved us. Our enemy, who ' had set up a pretender to this ' throne, raised from a state of ' asking peace, to a condition ' of giving peace and princes ' too to Europe, our allies, ' some divided from us, others ' miserably disjointed ; and we ' ourselves not only unguarded, ' but wretchedly broken into ' parties and factions at home. ' The friends of the pretender ' thought these circumstances ' so encouraging, that they openly avowed his title in writing ' and discourse, and his agents ' as boldly insisted soldiers to assert it with the sword. And ' he must have been very sanguine, who, in this view of things, could have thought, ' that the pretender, whom our queen's repeated instances ' could not remove from a situation, which her parliament ' thought too near us, would not, upon her majesty's demise, have brought a foreign army to join his friends here, ' before the protestant heir, ' who was at a much greater distance, could have arrived, ' to have maintained his own ' just right, or defended his ' faithful subjects. But when ' that

extrages (h). The university of Oxford (who, the day before, had presented to the king by Dr Gardiner, their vice-chancellor, a book of verses on the death of queen Anne, and the accession of his majesty to the throne) on the coronation-day, conferred unanimously, in a full convocation, the degree of doctor of civil law on Sir Constantine Phipps, with all imaginable marks of honour and esteem.

1714.

Phipps made
Dr of laws
at Oxford.

The first affair the king turned his thoughts to, was the execution of an article of the treaty of Utrecht, the demolition of Dunkirk; from whence the trade of England and Holland had been greatly incommoded during the late

The affair of
Dunkirk.

that day was come, that was to put a period to that royal life, on the continuance of which alone, this threatening danger seemed suspended; then was God pleased to mix so much mercy with the stroke, as by his providence to order it, that the unsettled posture of affairs abroad would not permit the pretender's foreign friends to send any forces to encourage an insurrection; and the unreadiness of his surprized abettors here would not permit them to appear in such a manner, as to invite an invasion; but our king was peaceably proclaimed, to the universal joy of his people.

(h) Dr Sacheverel was at that time at Sutton, near Birmingham in Warwickshire, where he preached on the Sunday before the coronation; and above two hundred of the Birmingham people came so far to attend upon him, and the consequence of it appeared a day or two after. Several of the principal inhabitants of Birmingham having resolved in a suitable manner to express their joy on the day of the corona-

tion, an entertainment was prepared for them at the Castle-tavern, when the night came on, a tumultuous rabble got together, broke the windows of the house, and forced the company to remove: all the cry was 'Sacheverel for ever; and down with the whigs.' If any one in the street cried, 'God bless king George,' he was in danger of his life. At Bristol also the mob broke the windows of Mr Whiting, the under-sheriff, who had offended them by prosecuting one guilty of perjury. They did the same at Mr Jeffreys's house; but fell in a still more furious manner on Mr Stevens's, which they assaulted, entered, and plundered. One Mr Thomas, who persuaded them to withdraw, was murdered; and several gentlemen insulted, hurt, and abused. At Chippenham in Wiltshire, the rabble armed with guns, pistols, and clubs, marched with beat of drum, and abused the justices, gentlemen, and freemen, who were shewing their loyalty in solemnizing the king's coronation. The same kind of disorders were committed at Norwich and Reading.

1714.

wars. Instead of executing this article, the French king had entirely evaded it; and therefore Mr Prior, who was still resident at Paris, was ordered to present a memorial to him, pressing the performance of the 9th article of the treaty of Utrecht (i). The French king, who had used the distinction

(i) The memorial was as follows:

The under-written plenipotentiary, minister of the king of Great-Britain, has orders from the king his master to represent to your majesty, that, having heard the report of the commissaries and engineers sent to view the state of the fortifications and port of Dunkirk, his majesty is very much surprized to hear, that notwithstanding the instances and representations made on the part of Great-Britain, to press the execution of the 9th article of the treaty of peace concluded at Utrecht, the said port is so little filled up, that there can still to this day as great ships as formerly pass by the old canal, up to the horn-work of the town. So long as that canal remains, it cannot be denied, that there is still at Dunkirk a port of one thousand rods long, and consequently able to receive many hundred ships. The words of the treaty are, *Portus compleatur* (that the haven shall be filled up) *Aggeres aut moles diruantur* (that the dykes which form the canal and the moles be destroyed) We appeal even to your majesty's engineers, if the haven be filled up, and if the dykes be destroyed? The king his master is very much persuaded, that your majesty, being fully informed of this fact will give your strict orders, that at

last that shall be accomplished, which, according to the words of the treaty, ought to have been done above a year ago. The same minister has orders to represent to your majesty, that the surprize of the king his master has been still greater, when he was told, that notwithstanding the said 9th article, which says expressly, '*Ne dicta munimenta, portus, moles, aut aggeres denuò unquam reficiantur*' (that the said fortifications, port, or the dykes of Dunkirk shall never be rebuilt) that they are actually at work in making a new port, much larger than the old canal; which as well as the old haven, goes up to the town of Dunkirk; and that the foundation of a sluice, much greater than the former, which served to clean the old haven, is laid.

It cannot be imagined, that your majesty will make use of the word *Dicta*, which is in that article, to maintain, that since the same canal is not restored, the same materials are not made use of, and the same bastions and courtains are not rebuilt, that your majesty is at liberty to raise new works, and to make a new port better than the former. The *Bona fides*, which ought to reign in all treaties, and which will be religiously observed by the king my master, will not admit of such a supposition.

When ships can go into Dunkirk

tion of the letter and spirit of treaties to justify his non-compliance with the treaty of partition, adhered to the letter of this, and pretended he had fulfilled it in the utmost extent (k). His answer was not satisfactory; Prior was recalled,

kirk by the old canal, which is in the north, or by the new, which is on the west, Dunkirk, will, in the same manner, be a port, and be equally incommo-
dious and dangerous to the commerce of Great-Britain.

In either of these two cases, the treaty will be equally violated. The King of Great-Britain is resolved, on his side, religiously to observe the treaty of Utrecht, and to maintain with your majesty an amity so sincere, that he desires, above all things, to prevent all incidents that may disturb that good intelligence. And as the hopes of seeing the intire execution of that 9th article has been to Great-Britain the principal motive for accepting the peace of Utrecht, he has ordered the under-written minister to make the most pressing instances with your majesty, that you will please to give order for the filling up the said canals, &c.

(k) His answer was as follows :

Pursuant to the 9th article of the treaty of peace concluded at Utrecht, the harbour of Dunkirk, between the town and the citadel, is intirely filled up. Nevertheless, men are still at work, carrying into it the earth, that is produced by the demolishing of the cavaliers of the citadel.

The words *Portus compleatur*, can never be applied to the

old canal, which is very different from the harbour; neither, to be sure, would the king ever have engaged intirely to destroy a canal of a thousand toises in length.

That would have been a work immoderately great, for the only time men could have been employed therein, would have been at low water.

On the other hand, it would have been altogether needless, for the sea will soon carry away what remains of the dykes, that were made,

These dykes and jetties sink daily, and are washed away by the sea. But it having been lately demanded, on the part of the king of Great Britain, that, to the end they might be carried off the sooner, the king would cause four coupures or outlets to be made therein, his majesty gave orders accordingly; and, by means of this new work, the old canal will be so choaked up in a few days, that it will be level with the strand, and no shipping will be able to enter it. Nay, they will not be able to go up thither, even at high water, but as they do at all other places along the coast, quite from Newport to Calais.

The king has several times complained of the dilatoriness on the part of England, in point of executing the 9th article of the peace of Utrecht. It ought not therefore to be charged

1714.

called, and the earl of Stair sent in his room, who prosecuted the affair with great vigour. The court of France would not yield, and declared in exprefs terms, Mardyke was not Dunkirk, and that the treaty of Utrecht, did not deprive

charged upon his majesty. This is notorious.

It is well known too, that the fortifications of Dunkirk are demolished : and that the harbour is so filled up, that it would be impossible for the king to make it good again, did not his majesty design (as he fully does) punctually to perform the treaty.

He has already several times answered the complaints, which for some time past he has received, about the work he was forced to make, to hinder a great track of land from being laid under water, which the ruining of the sluices of Dunkirk would have effected. However, he is willing to repeat once more the reasons he has given for that proceeding.

The waters of the canals of Furnes, La Moere, Wynoxberg, and Bourbourg, were discharged by the sluices of Dunkirk. This outlet was necessary to keep the castellanies of Bourbourg, Wynoxberg, and even some part of that of Furnes, from being overflowed, which, without it, they must infallibly have been. But the king, having promised utterly to destroy the sluices of Dunkirk, gave his orders for executing the treaty ; and, in the mean while, caused a representation to be made to the queen of Great-Britain, of the inconveniencies, that would ensue upon this rigorous performance ; desiring, at the same time that she would suffer one of the

three sluices, which were to be destroyed, to stand as it did.

This was denied by that prince. So it became necessary to find out some other method for discharging the water of those four canals.

The English commissaries and engineers were witnesses of the several projects, that were formed for that purpose. They were full well acquainted with the design of the canal of Mardyke, and were of opinion, it was impossible to be executed. It is true, it was a very expensive one ; and the king would gladly have saved that money, had it pleased the queen of Great-Britain to leave one of the sluices of Dunkirk standing, only to discharge the waters from the country. But, upon her refusal, it was absolutely necessary to open this canal, to receive the waters of the four other canals.

These four old canals are navigable, and are together forty-eight toises broad ; and consequently the new canal must needs have a sufficient breadth to receive all these waters, and discharge them into the sea.

The sluice also must necessarily be proportionable to the breadth of the canal, and to the quantity of waters it retains ; for the point is, to hinder the tides getting into the country, and to keep in the waters of the four old canals at high tides.

The season pressed the finishing of that work ; and if the

same

deprive the king of the natural right of a sovereign, to make what works he should judge proper for the preservation of his subjects. The truth is, the plenipotentiaries of Great-Britain had been too negligent in the affair. In stipulating the demolition of Dunkirk, it was doubtless their intention that another and better harbour should not be made on that coast; but then it should have been so expressed; otherwise, in such articles all advantages will be taken by those on whom they are imposed.

The same fault had been committed in the treaty of commerce with Spain. The advantages obtained in the body of the treaty were all explained away by the separate articles, and the result was, that the British goods and merchandizes paid seven per cent. more than had been paid before. King George applied himself also to redress this grievance. Spain, in imitation of France, adhered to the letter of the treaty, and would not agree that the terms should be explained according to the intentions of the queen's plenipotentiaries; and it was not till after much time and pains that this, and several other difficulties relating to the *Affiento* contract, were adjusted. So true is it, that a good negotiator is as rare and as useful as a great general.

same had not been carried on with great diligence, what would not men have apprehended from the disorder, which the autumn rains might occasion?

These are the motives, which obliged the king to cause the new canal of Mardyke to be opened, and to hasten the accomplishment of that work. His majesty has no design, no intention to make a new harbour at Mardyke, to build a place there. He has already declared, and once more repeats it, that he is only willing to save a country, which would be laid under water, if this was not discharged into the sea.

For the rest, the king has given good proofs of his bonafides in the execution of the treaties. His majesty has given particular marks thereof to the king of

Great-Britain. He sees, with pleasure, the assurances which that prince renews to him, that he will religiously observe the treaty of Utrecht, and maintain a sincere friendship with him.

In case of those happy dispositions, all incidents, capable of disturbing this good understanding, may be easily avoided.

The king does not doubt but it will be perfect, when all suspicions on both sides shall be sincerely cleared up, and all suppositions banished. It is for this end that his majesty is pleased to repeat the reasons contained in this memorial, and that he again orders the *sieur d'Ibberville*, his envoy extraordinary, to give an account thereof to the king of Great-Britain. The 2d of November, 1714.

The

1714.

Seditious
libels.The preten-
der's mani-
festo.

The barrier treaty, which was negotiating at Antwerp between the emperor and the States-General, and which was of great consequence to the trade of England, drew also the attention of the new king. General Cadogan, intimate friend of the duke of Marlborough, was sent as plenipotentiary.

In the mean time, the behaviour of the jacobite and high-church party occasioned the publishing a proclamation for suppressing of riots and tumults. Seditious libels were with great industry dispersed, jealousies infused into weak minds, and the groundless clamour of the danger of the church revived (1). In November, the dukes of Marlborough, Shrewsbury, and Argyle, the earls of Nottingham and Sunderland, the lord Townshend, the marquis de Montelone the Spanish ambassador, the count de Nostitz, and several other persons of distinction, received, by the mail from France, copies of a paper printed in English, French and Latin, signed at the top James R. and dated at Plombieres the 29th of August, 1714, N. S. being a kind of manifesto or declaration of the pretender, asserting his claim to the crown of Great-Britain. He says, 'The revolution ruined the English monarchy, laid the foundation of a republican government, and devolved the sovereign power on the people.' He observes, 'That when he found the treaty of peace was upon the point of being concluded, without any regard to him, he published, in April 1712, his protestation against it.' He then gives the reason of his sitting still for some time past, in these remarkable words: 'Yet, contrary to our expectations, upon the death of the princess our sister (of whose good intentions towards us, we could not for some time past well doubt: and this was the reason we then sat still, expecting the good effects thereof; which were unfortunately

- (1) Some of these libels were,
- Stand fast to the church;
 - where are our bishops now?
 - The religion of king George.
 - No presbyterian government.
 - The State Gamester: or The
 - Church of England's sorrowful lamentation. Æsop in mourning. The duke of Ormond's vindication. The lord Bolingbroke's vindication. No
 - lord protector: or the Duke

of Marlborough's design defeated.' The hawkers that cried these libels, and sung seditious ballads, were by Sir William Humphreys, lord-mayor of London, taken up and sent to the house of correction, for which he had the king's approbation, in a letter from lord Townshend, secretary of state.

prevented

1714.

prevented by her deplorable death) we found that our people, instead of taking this favourable opportunity of retrieving the honour and true interest of their country, by doing us and themselves justice, had immediately proclaimed for their king a foreign prince, to our prejudice, contrary to the fundamental and incontestable laws of hereditary right, which their pretended acts of settlement can never abrogate (m). The persons who received this declaration, thought it their duty to deliver it into the

(m) Matthew Tindal, Dr of laws, published at London, 1715, in 8vo, remarks on this declaration, of both which it will be proper to give the following abstract :

The pretender maintains, ' That the revolution ruined the English monarchy, laid the foundation of a republican government, and devolved the sovereign power on the people ; and that we are exposed to arbitrary power, and become a prey to foreigners.' This the pretender, out of his hereditary courage and goodness, would have prevented, and therefore says, ' We parted from our ordinary residence, to put ourselves at the head of such of our loyal subjects, as were disposed to defend us and themselves from all foreign invasion.'

In answer to this, the author of the remarks observes, that the European monarchies, founded on the gothic constitutions, were all at first elective.

The pretender, after having put the nation in mind how he invaded Scotland, and boasted, that the miscarriage of that expedition could not be imputed to him, says, ' That when he found the treaty of peace was upon the point of being concluded,

without any regard to him, he published, April 1712, his protestation against it.'

Though the princes of Europe have so often rejected all his pretensions, yet he thinks to cajole them, by saying, ' We hope, that all christian princes and potentates, who are now in peace together, will reflect on the dangerous example here given them, and the formidable effects they are threatened with from such an united force as that of England and Hanover ; and that they will seriously consider, whether the exorbitant power, that now accrues to the house of Brunswick, be consistent with the balance of power they have been fighting for all this last war ; and therefore we call on them for their assistance for the recovery of our dominions, which their interest, as well as honour, engages them to grant us, as far as they are able.' Can any thing be more impolitic, than for this popish pretender, in the same declaration, in which he expects that the protestants of Great Britain should rely on his word for the preservation of their religion, to call on all christian princes to have no regard to their most solemn engagements, but to violate

1714.

the hands of the secretaries of state; upon which the marquis de Lambert, the duke of Lorraine's minister, was forbid the court, because such a thing could not be done at Plombieres without the countenance of his master; and the

late thir faith, by breaking that peace, which they have so lately concluded? And nothing can be more ridiculous, than his supposing, that France, as well as the rest of Europe, are in such immediate danger, by the exorbitant power of the house of Brunswick, that they are obliged, if they will preserve themselves, to fall upon it with their united forces. The pretender, even while he is persuading the people of Great-Britain to take up arms against the king, cannot forbear telling them, that, by the union of England and Hanover, they have got that balance of power, which all Europe has been so long fighting for; and representing their taking up arms as a most desperate attempt by reason of that most exorbitant power, which, he says is now in the house of Brunswick; and, as if he had a mind wholly to intimidate them, he affirms, that the elector is a powerful prince, 'supported by a good army of his own people, besides the assistance, which a neighbouring state (and he might have added the king of Prussia) is obliged to grant him upon demand; and many thousand of aliens refuged in England these thirty years past, who, having their dependence wholly upon him, will be ready to stand by him upon all occasions.'

The pretender labours to draw his loving subjects, as he calls

them, into a civil war, by shewing them the mischief of such wars; and therefore says, 'What can our subjects expect but endless wars. and divisions, from subverting so sacred and fundamental a constitution as that of hereditary right? Which has still prevailed against all usurpations, how successful, and how long time soever continued; the government finding still no rest, till it returned again to its true center.' But if what he calls successful usurpations have continued for a long time, and we may add, a much longer than his hereditary right, how can that be the true center of government? Especially, if, of the nineteen successive kings since the conquest, thirteen of them did not come to the crown by proximity of blood; and there have been more of those few, that did so succeed, deposed, than of the many who did not, who were all of them not only looked on to have a competent authority during their lives, but their proceedings (upon the validity of which most of the titles to our estates depend) have been esteemed good in all ages.

He threatens us with other popish pretenders, and says, 'How can our subjects be ignorant of the just pretence of so many other princes, that are before the house of Hanover, whose right, after us, will be as undoubted as our own.'

following message was delivered to him by the lord Townshend: 'That it was inconsistent with his majesty's honour and dignity, as well as interest, to admit to audience the minister of a prince, who at that very juncture, gave shelter

own; who want neither will nor power to assert it in their turns; and to intail a perpetual war upon our kingdoms, with a civil war in our own bowels, which their divisions will make unavoidable?' The late ministry must have reduced the nation to a low condition indeed, if they dare not stand by their own settlement of the crown, lest it offend the popish house of Savoy, or any other popish pretender. But have not all these popish pretenders owned the right and title, not only of king William and queen Mary, but of his majesty, and consequently acknowledged, that the parliament has a right to dispose of the crown?

The pretender says, 'We shall not think ourselves answerable before God and man for the pernicious consequences, which this new usurpation of our crown may draw on our subjects and all christendom.' Which is in effect saying, We have regard to nothing but our own private interest; and, for the sake of that, we care not what pernicious consequences we draw on these nations and all christendom. If it be lawful, after the succession of four kings or queens, on pretence of a former indefeasible title, to disturb the peace of a kingdom; it must be lawful (since no time can destroy such a title) after the succession of four thousand, and then what

kingdom can promise itself the least peace or quiet?

Though the pretender threatens a fatal war, yet he would have those, whom he calls his loving subjects, think, he has an unspeakable kindness for them; and therefore tells them, 'It is not our interest alone we are concerned for; our natural and unalterable love for our people is such, that as we could not see without grief their blood and treasure lavished in the last war, in opposition to our undoubted right; so we cannot now with less sorrow see them exposed to be subjected to an arbitrary power, and become a prey to foreigners.' If indeed he had a natural and unalterable love for these nations, he would, since he slipped the opportunity of making use of the 'good intentions of the princess his sister,' rather quit his pretensions, than disturb the peace, and involve them in endless wars: or, if he had any sense of honour, he would never endeavour to impose upon them by notorious falsehoods: and what can be more so, than this part of his declaration, which, though dated before the king came over, or had done any one act of government, yet most maliciously charges him with designing to enslave the people, and make them become a prey to foreigners, who, by the laws, of which our king has shewn himself a most

1714.

‘ shelter and protection to a pretender, and an open enemy to his dominions.’ The marquis transmitted this message to the duke of Lorrain, left London, and went to Oxford, to wait his master’s answer. This gave just cause of suspicion,

most religious observer, are excluded from all places of trust and profit ?

Did not the pretender, bred up in the politics of France, think every one, that could enslave a nation, would certainly do it, he would not talk at this rate, nor think to terrify us by saying, ‘ The elector is a powerful prince, and absolute in his own country, where he has never met with the least contradiction from his own subjects.’ It is so far true, the elector never met with the least contradiction from his subjects ; but then it is as true, he never required any thing of them, but what was for their good ; and subjects will never think a prince’s power too great, when he is always contriving how to employ it most for their service ; and thinks his greatest happiness consists in making them happy.

The pretender says, ‘ The elector is a foreigner, ignorant of our laws, customs, manners, and language ;’ but for himself, ‘ We are the only born Englishman left of the royal family.’ Though the pretender was born in England, yet, since he was carried into France in his cradle, this could not qualify him to understand our laws, customs, and manners ; and he, who seems to understand nothing but the ridiculous trumperies of the Romish church, must be an utter stranger to the laws and customs of the nation ; nor can

he have a notion of any constitution, but one as arbitrary as that of France. Merely being born in a country cannot create in a man the least kindness for it. The place indeed, where one is bred (usually the same where he is born) and the persons, with whom he is bred, generally prejudice a man in their favour ; and consequently the pretender ought to be accounted by the people of Great-Britain as much a Frenchman, as if he had been born there : and tis all grimace and French banter to talk of his natural and unalterable love for the English.

Though he would have it thought, that king George’s being a foreigner renders him unfit to govern this nation ; yet he will not allow it to be any manner of objection to himself, or any other pretender of the popish line.

Was not king James II. born and bred among us, and under the greatest obligations to the church of England, and bound by the most solemn engagements to preserve our laws and religion ? And yet that did not hinder him, as soon as he got into the throne, from attempting the subversion of both. And did not we owe the preservation of both to a foreigner ?

Was not the pretender, though born here, educated among the enemies of our country and religion ? Who, from the first moment he was capable of understand-

tion, that the pretender and his friends had formed a party in that university to advance his interest, as it afterwards appeared. The marquis having received the duke of Lorraine's answer, dated at Nancy, December the 6th, 1714, N. S. communicated it to the lord Townshend. It was to this effect :

' I believe, Sir, you no ways doubt of my being extremely surprized to hear by the courier, which came from you, that, when you applied to my lord Townshend to obtain

standing any thing could hear nothing from those disappointed persons about him, but reviling the English nation. And has not this early aversion been daily improved by the French, who bear an hereditary hatred to the English ? And can it be thought that the Italian princess, who calls herself his mother, as well as the priests and jesuits (to whose interest he is intirely devoted) have not used all arts to create in him a mortal aversion to those they call hereticks and rebels ?

Add to this, that his morose, sullen, and revengeful temper makes him apt to receive the worst impressions : so that nature, education, religion (not to mention want of understanding) have rendered him, of all mankind, the most unfit, notwithstanding his being born here, to govern protestants and free-born Britons.

Could we suppose the pretender, though a papist, no persecutor of protestants, and with his French education no hater of the English ; yet, as he must be wholly in the power of those foreign popish forces, with which he designs to invade the dominions of so powerful a king, so he could not hinder them, if they got the better, from treating the people with the utmost

cruelty. All churchmen then, whether high or low, would, as at the Irish massacre, be involved in one common ruin. Then all that the nation is worth could not satisfy the demands of France, for what they had expended in behalf of the abdicated family. ' In a word, concludes the author of the remarks, since there is no scene of cruelty, that even the reading of the popish massacres can suggest, but what the protestants of these nations had reason to apprehend, if faithless and blood-thirsty men had prevailed ; ought we not every day of our lives, to pour out our thanks to the Father of all mercies, for having so wonderfully brought about this great deliverance ; and to take the utmost care to avoid all such divisions, as may encourage any more attempts from this popish pretender ? Which nothing can more effectually hinder, than the chusing such men to represent us in the next parliament, who no ways abetted the execrable designs of the late ministry, but are truly and heartily in the interest of their king and country. This, and this only, can put us upon a happy and lasting establishment.'

THE HISTORY

‘ an audience, that minister made answer, that, since the
 ‘ chevalier de St George remained still in my dominions,
 ‘ the king thought fit to forbid you the court: in case his
 ‘ majesty should continue in this disagreeable resolution with
 ‘ respect to me, I must submit to his pleasure, and you
 ‘ have nothing else to do, but to return hither as soon as
 ‘ you are able. However, you are first to apply to the duke
 ‘ of Marlborough, and to the king’s ministers, desiring
 ‘ them to lay before his majesty the unfortunate situation I
 ‘ am in, if, after having been so ready to let the king know
 ‘ the part I take in his accession to the crown of England,
 ‘ and after having been one of the first to make my com-
 ‘ pliments, and show my zeal on this occasion, all Europe
 ‘ should be acquainted, that his majesty had some reason to
 ‘ be dissatisfied with me. That I cannot conceive, whence
 ‘ this should proceed, since, as to the chevalier de St
 ‘ George, the world knows, by what means he came into
 ‘ this country: that every one is informed of the situation
 ‘ of my territories, which are surrounded and cut through
 ‘ on all sides by France: that it is known how I had no
 ‘ share in his coming into my country: that I neither
 ‘ invited him to come thither, nor could I force him to go
 ‘ away: that lately, upon the death of queen Anne, I knew
 ‘ nothing of his leaving Bar, till twelve hours after he was
 ‘ gone from thence; and I knew nothing of his return to
 ‘ Bar, till after he was come back, as a traveller, that goes
 ‘ backwards and forwards in an open country, and inter-
 ‘ mixed with other territories as mine is: as to the mani-
 ‘ festo or declaration dated at Prombieres, which the che-
 ‘ valier de St George had got printed, I knew nothing
 ‘ more of it, than that he gave me one after it had been
 ‘ published; but that really I am much concerned to hear
 ‘ from you, that it has been reported, that the same ma-
 ‘ nifestoes have been spread abroad by you, or those of your
 ‘ retinue. I own to you, that I am extremely concerned
 ‘ at this, and that in some sort it seems to be a design to
 ‘ make me uneasy, to give out, that either I or my servants
 ‘ meddled in such an affair.

‘ These are the reasons, which I have to offer, and which
 ‘ I would have you desire those gentlemen to lay before the
 ‘ king, in hopes they will convince his majesty of my most
 ‘ respectful adherence to him, and that his majesty will be
 ‘ pleased to admit you to an audience.

‘ But, if contrary to my expectation, the king will not
 ‘ grant you an audience, you are to come away, having de-

‘ fired

‘fired the ministers to let the king know the concern I am under; and that I hope his majesty will please to accept of my good intentions, and the early care I took to shew him the inviolable zeal I have for him.’ 1714.

When the marquis communicated this letter to the king’s ministers, he, at the same time, expressed his master’s ‘deep concern at this unlucky affair, which obstructed the friendship and good understanding he had so early sought with his Britannick majesty, for whom he ever entertained the highest esteem and veneration.’ And he likewise expressed his own particular concern, and the great mortification it was to him, not to be admitted to a court, which he had so great a desire to be made known to. He was answered, ‘That it was not out of any prejudice to his person, nor even to the person of his master, for whom the king had a great esteem. But, that, as affairs stood at present, though his excuses were, in some measure, allowable, yet his majesty was the best judge of what was consistent with his own honour and dignity; and, as his majesty was likewise sensible of the duke’s readiness to seek and cultivate a friendship with his majesty, so the king wished, that the causes, which obstructed the same at present, might be speedily removed.’ The marquis finding by this answer, that his majesty insisted on the removal of the pretender from the dominions of Lorrain, before he would admit him to an audience, took his leave of the lord Townshend, and, on the 13th of December, set out on his return home. In answer to that part of the duke of Lorrain’s letter, wherein he alledges, ‘That his territories are surrounded and cut through on all sides by France; and that he neither invited the chevalier de St George thither, nor could force him to go away;’ a paper transmitted hither by Mr Prior, and delivered to him by the marquis de Torcy, was said to be produced to the marquis, whereby his most christian majesty declared, ‘That he neither did, nor would in any manner concern himself with the chevalier de St George;’ which declaration was directly contrary to the duke of Lorrain’s allegation.

When the pretender’s declaration came first into England, and was published in the foreign prints, the jacobites and tories insisted upon its being a contrivance of the whigs, to reflect on the memory of the queen, and to fix an odium upon the high-church party, because in that declaration he said, ‘That for some time past he could not well doubt of his sister’s good intentions towards him.’ But they were

1714.

much confounded by the duke of Lorrain's letter, which owned the declaration to be genuine, and that the pretender himself had given him one of them.

About the latter end of November, the king advanced the salaries of the chief-justice of the king's-bench, and of the chief-barons of the exchequer, to the same sum, as was allowed the chief-justice of the common-pleas, being 2000*l.* a year, and the salaries of the other nine judges to 1500*l.* a year (n).

Addresses to
dissolve the
union.

About this time addresses were set on foot in Scotland, for dissolving the union; and it was also proposed, that none should be elected members of parliament there, but such as would promise to use their endeavours for that purpose. Many well-meaning people seemed at first inclinable to fall in with those measures; but when they found, that the jacobites were the most zealous in pushing this affair, in order to raise confusion and discord betwixt the two nations, they refused to concur, and referred their grievances by the union to be considered, when the nation should be better settled. But there was a quite different spirit among the high-church party in England, who excited riots and tumults in many parts of the kingdom, to which they had been encouraged by the pretender's declaration. To prevent these disorders, a proclamation was published on the 6th of December.

Religious

(n) Sir Peter King recorder of London, was appointed chief-justice of the common pleas, in the room of the lord Trevor; and Samuel Dodd was made chief baron of the exchequer; Sir James Montague, a baron of that court, in the room of serjeant Banister; serjeant Prat, a judge of the king's-bench in the room of Sir Thomas Powis; Nicholas Lechmere, solicitor-general, in the room of Sir Robert Raymond; Spencer Cowper, Attorney-general; and John Fortescue-Aland solicitor-general to his royal highness. About the same time it was made publick, that the duchess of Bolton, the duchess of St Alban's, the duchess of Mon-

tague, the countess of Dorset, the countess of Berkeley, and the lady Cowper, were made ladies of the bed-chamber to the princess of Wales; and Mrs Selwyn, Mrs Pollexfen, Mrs Howard, and Mrs Clayton, bed-chamber women to her royal highness.

It was generally reported and believed, that Robert Price, one of the barons of the exchequer, would be laid aside upon the demise of the queen, he having always shewn an indifference with respect to the protestant succession: but he was continued, and it was thought he owed his continuance to his readiness to go down to Bristol with Sir Littleton Powis and Robert

1714.

Disputes
about the
Trinity.
Complaint
against
Dr Clarke,
June 2.

June 23.

Religious disputes were at this time also at a great height. Dr Samuel Clarke having, before the queen's death, published his scripture-doctrine of the Trinity, the lower-house of convocation had complained of his book, as containing assertions contrary to the catholick faith. This complaint being laid before the bishops, they desired an extract to be made of such passages, as gave greatest offence; and were most liable to censure. Accordingly, the lower-house made an extract, and, having sent it up to the bishops, Dr Clarke, whilst it was under consideration, wrote a reply to it, which was presented to some of the bishops, but was not laid before the house. After this, there appeared in almost the whole upper-house a great disposition to prevent dissensions and divisions, by coming to a temper in this matter, and Dr Clarke was prevailed upon to lay before

Robert Tracy, two other judges, and to try those, who had been guilty of the riot there, on the day of the king's coronation. The cry of these rioters was 'Sacheverel and Ormond: 'Damn all foreign governments.' On the 27th of November, seven of the chief rioters were brought to their trials for assaulting and plundering Mr Stephens's house, and murdering Mr Thomas. During the trials Mr Hart, a tobacco-merchant, who had been made a justice of the peace by the last ministry, behaved himself with such insolence, that he was ordered to quit the bench. Another reflected so scandalously upon the grand jury, that he was ordered to the bar, and bound over to answer for his offence. Six of the prisoners were found guilty of the riot; and one of them upon whom Mr Stephens's wearing apparel had been found, was convicted of felony and burglary to the value of ten-pence only. All the criminals convicted of the riot were fined each twenty no-

bles only, to be imprisoned three months, and give security for twelve months for their good behaviour. As the proofs against them were plain, a house being plundered, and a man murdered by them, it was thought surprizing, that not one of them suffered capitally for these crimes. The grand jury for the city and county of Bristol drew up an address to the king, in which they 'returned their unfeigned thanks for his great goodness in sending a special commission to that city, not only to protect his good subjects, but to prevent for the future such riotous assemblies, which for these four last years that before happy place had been exposed to. And they were sorry to say, that these assemblies had been encouraged and abetted by some of their own fellow-citizens, who had from time to time notoriously espoused their cause, and, as far as in them lay, had screened them from justice.'

1714. them a paper, in order to put an end to the affair (o). Dr
 July 2. Clarke being apprehensive, that, if his paper should be pub-
 July 5. lished separately without a true account of the preceding
 and following circumstances, it might be liable to be misun-
 derstood in several particulars, caused, three days after, an
 explanation to be delivered to the bishop of London (p).
 The

(o) The paper was as fol-
 lows:

1. My opinion is, that the Son of God was eternally begotten by the eternal incomprehensible power and will of the Father; and that the Holy Spirit was likewise eternally derived from the Father, by or through the Son, according to the eternal incomprehensible power and will of the Father.

2. Before my book, intituled, 'The Scripture Doctrine, &c.' was published, I did indeed preach two or three sermons upon this subject; but, since the book was published, I have never preached upon this subject: and (because I think it not fair to propose particular opinions, where there is not liberty of answering) I am willing to promise (as indeed I intended) not to preach any more upon this subject.

3. I do not intend to write any more concerning the doctrine of the Trinity. But if I shall fail herein, and write any thing hereafter, upon this subject, contrary to the doctrine of the church of England, I do hereby willingly submit myself to any such censure, as my superiors shall think fit to pass upon me.

4. And whereas it has been confidently reported, that the Athanasian creed, and the third

and fourth petitions in the Litany have been omitted in my church by my direction, I do hereby declare, that the third and fourth petitions in the Litany have never been omitted at all, as far as I know; and that the Athanasian Creed was never omitted at eleven o'clock prayers, but at early prayers only, for brevity sake, at the discretion of the curate, and not by my appointment.

5. As to my private conversation, I am not conscious to myself, that I have given any just occasion for those reports which have been spread concerning me, with relation to this controversy.

I am sorry that what I sincerely intended for the honour and glory of God, and so to explain this great mystery, as to avoid the heresies in both extremes, should have given any offence to this synod, and particularly to my lords the bishops. I hope my behaviour for the time to come, with relation hereunto, will be such, as to prevent any future complaints against me.

(p) The explanation was thus:

Whereas the paper laid before your lordships, on Friday last, was, through haste and want of time, not drawn up with sufficient exactness; some things

1714.

July 7.

The same day the upper-house came to a resolution to enter the paper and explanation in the acts of the house, to communicate the same to the lower-house, and to proceed no farther upon the extract. But the lower-house were of a different opinion, and resolved, that the paper was no recantation of his heretical assertions, nor did give such satisfaction for the great scandal occasioned by his writings, as ought to put a stop to any further examination.

Thus stood the affair at the queen's death, and, the disputes about the Trinity increasing, on the 11th of Decem-

things therein being not so fully expressed as they might have been; and others expressed in such a manner as may be liable to be misunderstood, as not explaining with sufficient clearness and distinctness my whole thoughts to your lordships upon the subject therein contained: and whereas, if my present meaning in any part of it, should now be misunderstood, I may hereafter be thought not to have fully and sincerely to have opened myself to your lordships; I do humbly, and with all submission, beg leave to take this immediate opportunity of representing to your lordships, that I think myself indispensably obliged, in conscience, to lay before your lordships the following explanations of the aforesaid paper, viz.

That whereas I declared in that paper my opinion to be, that 'the Son was eternally begotten, by the eternal incomprehensible power and will of the Father; and that the Holy Spirit, &c.' I did not mean thereby to retract any thing I had written; but to declare that the opinion set forth at large in the book intituled, 'The Scripture-Doctrine of the Trinity,' and in the defences of it, is,

that 'the Son was eternally begotten, by the eternal incomprehensible power and will, &c.' Which words (the eternal incomprehensible power and will of the Father) I desire may be so understood, as to signify that God the Father alone is, and is to be honoured as being, *ἀπαίτιος* and *ἀνὰ τίτιος*, the original of all, himself without original.

And whereas I declared I did not 'intend to write any more concerning the doctrine of the Trinity: but if I should fail herein, and write any thing hereafter, &c.' I desire it may be so understood, as not to preclude myself in point of conscience from a liberty of making any inoffensive corrections in my former books, if they shall come to another edition: or from vindicating myself from any misrepresentation or aspersions, which may possibly hereafter be cast upon me on the occasion of this controversy; but only to signify, that I have no present intention of writing any new book; and that, if hereafter I shall at any time write any thing which your lordships shall judge worthy of censure, I shall readily submit to such censure.

Y 4

ber

1714. } ber were published 'Directions to the archbishops, and bishops, for the preserving unity in the church, and the purity of the christian faith, concerning the Holy Trinity; and also for preserving the peace and quiet of the state.'

These directions were :

I. That no preacher whatsoever, in his sermon or lecture, do presume to deliver any other doctrine concerning the blessed Trinity, than what is contained in the holy scriptures, and is agreeable to the three creeds, and the thirty-nine articles of religion.

II. That, in the explication of this doctrine, they carefully avoid all new terms, and confine themselves to such ways of expression, as have been commonly used in the church.

III. That care be taken, in this matter, especially to observe the fifty-third canon of this church, which forbids publick opposition, between preachers, because (as that canon expresses it) there groweth thereby much offence and disquietness unto the people: and that, above all things, they abstain from bitter invectives and scurrilous language against all persons whatsoever.

IV. That none of the clergy, in their sermons and lectures, presume to intermeddle in any affairs of state or government, or the constitution of the realm, save only on such special feasts and fasts, as are or shall be appointed by publick authority; and then no farther than the occasion of such days shall strictly require. Provided always, that nothing in this direction shall be understood to discharge any person from preaching in defence of the regal supremacy established by law, as often, and in such manner, as the first canon of the church doth require.

V. That the foregoing directions be also observed by those, who write any thing concerning the said subjects.

VI. Whereas also we are credibly informed, that it is the manner of some in every diocese, before their sermon, either to use a collect and the Lord's-prayer, or the lord's-prayer only (which the fifty-fifth canon prescribes as the conclusion of the prayer, and not the whole prayer) or at least to leave out our titles, by the said canon required to be declared and recognized: we do further direct, that you require your clergy, in their prayer before sermon, that they

they do keep strictly to the form in the said canon contained, or to the full effect thereof.

VII. And whereas we also understand, that divers persons, who are not of the clergy, have of late presumed, not only to talk and to dispute against the christian faith concerning the blessed Trinity, but also to write and publish books and pamphlets against the same, and industriously spread them through the kingdom, contrary to the known laws in that behalf made and enacted, and particularly to one act of parliament made in the ninth year of king William the third, intituled, 'An act for the more effectual suppressing of blasphemy and profaneness;' we taking all the matters abovementioned into our royal and serious consideration, and being desirous to do what in us lies, to put a stop to these disorders, do strictly charge and command you, together with all other means suitable to your holy profession, to make use of your authority according to law, for the suppressing and restraining of all such exorbitant practices. And, for your assistance, we will give charge to our judges, and all other civil officers, to do their duty herein, in executing the said act, and all other laws, against all such persons as shall, by these means, give occasion of scandal, discord, and disturbance in our church and kingdom.

On the 5th of January, a proclamation was published for dissolving the parliament, and, on the 15th, another was issued for calling a new one, in the following terms:

1714-15.

The parliament dissolved, and a new one called.

'It having pleased almighty God, by most remarkable steps of his providence, to bring us safe, to the crown of this kingdom, notwithstanding the designs of evil men, who shewed themselves disaffected to our succession, and who have since, with the utmost degree of malice, misrepresented our firm resolutions and uniform endeavours to preserve and defend our most excellent constitution both in church and state, and attempted, by many false suggestions, to render us suspected to our people; we cannot omit, on this occasion of first summoning our parliament of Great-Britain, in justice to ourselves, and that the miscarriages of others may not be imputed to us, at a time, when false impressions may do the greatest and irrecoverable hurt, before they can be cleared up, to signify to our whole kingdom, that we were very much concerned, at our accession to the crown, to find the publick affairs of our kingdom under the greatest difficulties, as
' well

1714-15. ' well in respect of our trade, and interruption of our navigation, as of the great debts of our nation, which, we were surprized to observe, had been very much increased since the conclusion of the last war. We do not therefore doubt, that, if the ensuing elections should be made by our loving subjects with that safety and freedom, which by law they are intitled to, and we are firmly resolved to maintain to them, they will send up to parliament the fittest persons to redress the present disorders, and to provide for the peace and happiness of our kingdom, and the ease of our people for the future; and therein will have a particular regard to such as shewed a firmness to the protestant succession, when it was in danger.'

The late ministry foreseeing, they should be called to an account for their conduct, had frequent consultations how to avoid the storm; and soon after a traiterous libel was published, under the title of, 'English advice to the freeholders of Great-Britain.' Nothing could be more full of malice and falshood against the king's person and family; as well as against the whigs in general, and the present ministry; and it was artfully contrived to raise discontents among the people against the government, and to possess them with an opinion, that the church was in danger by his majesty's administration. It was carefully dispersed through the country, and great numbers of them were intercepted in the city of Exeter (q). Upon which the government issued out a proclamation, promising a reward of one thousand pounds for the discovery of the author of the libel, and five hundred pounds for the discovery of the printer: But to no purpose (r).

The

(q) They were directed to Sir John Coriton, Sir Nicholas Morrice, Jonathan Elford, Philip Rashleigh, Francis Seabell, John Williams, Esquires; Mr Granville Piper, Mr Welchman, Mr William Cary, Mr Prowse, Mr Philips, Mr Tonkin, Mr Cannock Kendall, in Cornwall, and to the rev. Mr Shute, the rev. Mr Hughes, the rev. Mr Collyer, and the rev. Mr Bedford in the same county, and to the mayor of Westloe.

(r) This libel was supposed to be penned by bishop Atterbury. The substance of it may be reduced to these five heads:

I. A declamation against the pretended arts and indirect practices of the government, in order to procure a whig house of commons to be elected.

II. Pressing motives to the Tories, to whom the author gives the title of the Church, to exert themselves at this critical juncture

The same day the mismanagement of the late ministry, 1714-15. with regard to Chelsea-College, was made publick by order of the privy-council; upon which, the government of that hospital was changed, and brigadier Stanwick appointed governor (f).

The earl of Strafford being returned to England, an order of council was issued, that the lord Townshend and Mr Stanhope, secretaries of state, should go to him, and demand the original instructions and orders, and all letters he had received from the late ministry, or any foreign prince or minister, and copies of all instructions, of which he had not the originals; and also of all letters writ by him to any person whatsoever, relating to his negotiations, from the time of his first being at the Hague. The earl delivered them two trunks, which, he said, contained what they desired; and orders were sent to seal up his papers, that were on ship-board, or at the custom-house.

Mr Prior, who had been deep in the measures of the late ministry, was now ordered home, the earl of Stair being arrived at Paris, where he had several conferences with the marquis de Torcy, and presented memorials about the canal and intended port at Mardyke, and signified to the court of France, that he had orders not to take any

The earl of
Strafford's
papers seized,
Jan. 11.

Prior ordered
home.

ture to get churchmen chosen into the ensuing parliament.

III. Articles of impeachment, or a large charge against the whigs, for intended criminal designs against the constitution in church and state; such as abolishing episcopacy; repealing the limitations in the act of settlement, and act for triennial parliaments; renewing the war; setting up a standing army; and enslaving the nation.

IV. Great sophistry and declamation to prove, that the church was in danger.

V. Investives against the duke of Marlborough and his family; calumnies against the ministry, and all the nobility and gentry in the king's interest; with treasonable reflections on his majesty and the royal family.

This libel was answered in a pamphlet, intitled, Treason detected; and another, called, A reply to a traiterous libel, intitled, English advice, &c.

(f) A new commission passed the great seal, appointing commissioners for the government of that hospital, the lord-president of the privy-council, the captain-general of his majesty's forces, the first lord-commissioner of the treasury, the two principal secretaries of state for the time being, lieutenant-general Earle, lieutenant-general Lumley, the secretary of war, the comptroller of the army, and the governor and lieutenant-governor of the said hospital for the time being.

character

1714-15. character upon him, till he had a clear and positive answer to the memorials.

Elections for
the new par-
liament.

The elections for the new parliament were now carrying on with great warmth by both parties, but with most success on the side of the whigs. The electors in some counties and cities drew up instructions for their representatives, the most remarkable of which were those of the city of London, wherein was this passage: 'We desire and expect, that you will inquire by whose counsel it was, that, after God had blessed the arms of her late majesty, and her allies, with a train of unparalleled successes, she was prevailed upon, contrary to the grand alliance, and her repeated promises from the throne to both houses, to send to, or receive managers from France, to treat separately of a peace, without the knowledge and consent of our allies.'

Elections in
Scotland.

The sixteen
peers.

In Scotland the tories published a circular letter, to dissuade the Scotch lords from voting for the whigs, or, as they pretended, for the sixteen peers, of whom the duke of Argyle had brought a list from England. But this letter made little impression, and the following peers were elected, the dukes of Roxburgh and Montrose; the marquisses of Tweeddale, Lothian, and Annandale; the earls of Sutherland, Rothes, Buchan, Loudon, Orkney, Stair, Bute, Deloraine and Ilay; and the lords Ross and Belhaven. All these lords were distinguished by their attachment to the revolution, and had contributed to the union to the utmost of their power. The marquis of Annandale, of the antient family of Johnstoun, had openly declared for king William, though, shortly after indeed, he declared for king James. But he repented of that step, and for his faithful services was employed in places of trust. The marquis of Lothian was a great promoter of the revolution. He had in the reign of king James II. married a daughter of the earl of Argyle, beheaded by that prince, purely out of a principle of honour, and, to shew his regard for a family unjustly persecuted, a certain proof that he would not favour the designs of the pretender. The earl of Sutherland, known at the time of the revolution by the name of the lord Strathnaver, was constantly attached to king William, and had followed him in all his campaigns in Flanders, at the head of a regiment. He had appeared very zealous for the privileges of the Scots; and did not think the union detrimental thereto. The earl of Stair was already employed by the new govern-

government as well as the dukes of Montrose and Roxburgh, and their attachment to it was not doubted. The only one that seemed exceptionable in the list was the lord Belhaven. No man had so strenuously opposed the union, and, had his advice been followed, it would never have taken place. But, finding at length all opposition in vain, he gave way to the torrent. There was one thing capable of making amends for all his non-compliances, and that was his single opposing, in the presence of the duke of York, the act of succession passed by a majority of voices in favour of that prince. He was also a good speaker, which will be always a great recommendation.

The elections for the house of commons were made with almost equal success, and the whigs had the majority. Thus all seemed quiet in Scotland, though a storm was then gathering there, which broke out in less than a year. The design was conducted more regularly than in England, and was better concealed. It was begun with endeavours for a remonstrance against the union; and the advice of the most famous lawyers was asked upon it, who declared the act of union contained several nullities, and to be very defective. The opposite party, to prevent a remonstrance so disagreeable to the court, were forced to consent there should be no address of congratulation: and that, presented by the kirk, had suffered great debates about the manner in which king William was mentioned, and had passed with much difficulty. The Highlanders were silent, and declared not themselves. It was only known, that they were making provision of powder and ball (t).

On the 17th of March, the parliament of Great Britain met at Westminster; and, the commons proceeding to the choice of a speaker, the earl of Hertford, son to the duke of Somerset, said, 'That, according to his majesty's pleasure, they were immediately to proceed to the choice of a speaker: that, in order thereto, they ought, in the first place, to consider, that scarce any

The parliament meets.
Pr. H. C.

(t) The king having given orders for a new commission of Chamberlainry, as they call it, in Scotland, the following persons were appointed to be of it: the marquis of Tweeddale; lord president; the earls of Suther-

land, Buchan, Marchmont, Bute, and Deloraine; Mr Charles Areskine, Mr Kennedy, and Mr Hadden. Some time after Charles Warrender, of Lochend, provost of Edinburgh, was created a baronet.

' parliament

1714-15.

Mr Compton chosen Speaker.

parliament ever met in a more critical juncture than this, when matters of the highest importance were like to be laid before the house: that therefore they ought to fix their choice upon a person of known parts and abilities; and that, in his opinion, none was ever better qualified for so great an office than Mr Spencer Compton.' He was seconded by the lord Finch, eldest son of the earl of Nottingham, who enlarged on Mr Compton's abilities; upon which Mr Compton stood up, and modestly excused himself; but, his excuses not being admitted, he was led to the chair by the earl of Hertford and lord Finch. The king approved him on the 21st of March, and then declared from the throne, he had ordered the lord-chancellor to shew the causes of calling this parliament. Accordingly, the lord-chancellor read to both houses the following speech, delivered into his hands by the king:

My lords and gentlemen,

The king's
speech to
both houses.

" THIS being the first opportunity, that I have had
" of meeting my people in parliament, since it pleased Almighty God of his good providence to call me to the throne of my ancestors, I most gladly make use of it, to thank my faithful and loving subjects for that zeal and firmness, that hath been shewn in defence of the protestant succession, against all the open and secret practices, that have been used to defeat it: and I shall never forget the obligations I have to those, who have distinguished themselves upon this occasion.

" It were to be wished, that the unparalleled successes of a war, which was so wisely and chearfully supported by this nation, in order to procure a good peace, had been attended with a suitable conclusion. But it is with concern I must tell you, that some conditions, even of this peace, essential to the security and trade of Great-Britain, are not yet duly executed; and the performance of the whole may be looked upon as precarious, until we shall have formed defensive alliances to guaranty the present treaties.

" The pretender, who still resides in Lorrain, threatens to disturb us, and boasts of the assistance, which he still expects here, to repair his former disappointments.

" A great

" A great part of our trade is rendered impracticable. 1714-15.
 " This, if not retrieved, must destroy our manufactures,
 " and ruin our navigation.

" The publick debts are very great, and surprisingly in-
 " creased, even since the fatal cessation of arms. My first
 " care was to prevent a further increase of those debts, by
 " paying off forthwith a great number of ships, which had
 " been kept in pay, when there was no occasion for conti-
 " nuing such an expence.

Gentlemen of the house of commons,

" I rely upon you for such supplies, as the present cir-
 " cumstances of our affairs require for this year's service,
 " and for the support of the publick faith. The estimates
 " shall be laid before you, that you may consider of them;
 " and what you shall judge necessary for your safety, I
 " shall think sufficient for mine.

" I doubt not but you will concur with me in opinion,
 " that nothing can contribute more to the support of the
 " credit of the nation, than a strict observance of all parlia-
 " mentary engagements.

" The branches of the revenue, formerly granted for
 " the support of the civil government, are so far incum-
 " bered and alienated, that the produce of the funds,
 " which remain and have been granted to me, will fall
 " much short of what was at first designed, for maintain-
 " ing the honour and dignity of the crown. And since it
 " is my happiness (as I am confident you think it yours) to
 " see a prince of Wales, who may, in due time, succeed
 " me on the throne, and to see him blessed with many
 " children, the best and most valuable pledges of our care
 " and concern for your posterity; this must occasion an
 " expence, to which the nation has not of many years been
 " accustomed, but such, as surely no man will grudge;
 " and therefore I do not doubt but you will think of it
 " with that affection, which I have reason to hope from
 " you.

My lords and gentlemen,

" The eyes of all Europe are upon you, waiting the is-
 " sue of this first session. Let no unhappy divisions of
 " parties here at home divert you from pursuing the com-
 " mon interest of your country. Let no wicked insinua-
 " tions

1714-15. " tions disquiet the minds of my subjects. The establish-
 " ed constitution in church and state shall be the rule of
 " my government; the happiness, ease, and prosperity of
 " my people shall be the chief care of my life. Those,
 " who assist me in carrying on these measures, I shall al-
 " ways esteem my best friends; and I doubt not but that I
 " shall be able, with your assistance, to disappoint the de-
 " signs of those, who would deprive me of that blessing,
 " which I most value, the affection of my people."

The lords
 address.

The addresses of the two houses were agreeable to the king's speech. The lords thanked him for his very affectionate expressions towards his people, for his assurances, that the established constitution in church and state should be the rule of his government, and for his just concern for their not having obtained all the advantages promised by so successful a war; they expressed their wonder, that the pretender should be yet permitted to reside so near his dominions; and owning themselves sensible, that trade in its most valuable branches was rendered impracticable, they added:

' These and other difficulties your majesty hath met with
 ' on your accession to the crown (and which we must ob-
 ' serve, in justice to your wisdom and foresight, would have
 ' been prevented, had your opinion been followed) we
 ' must confess, are very great and discouraging. How-
 ' ever, we do not doubt, but that your majesty, assisted by
 ' this parliament, zealous for your government, and the
 ' safety and honour of their country, may be able to take
 ' such further measures, as will secure what is due to us
 ' by treaties, ease our debts, preserve the publick credit, re-
 ' store our trade, extinguish the very hopes of the preten-
 ' der, and recover the reputation of this kingdom in foreign
 ' parts; the loss of which, we hope to convince the world
 ' by our actions, is by no means to be imputed to the nation
 ' in general.'

Debate about
 the address.

When the address was read, there arose a great debate in the house, chiefly about the last expressions in the foregoing paragraph. The lord Trevor, the lord Bolingbroke, the duke of Bucks, the duke of Shrewsbury, the earl of Anglesey, the archbishop of York, the bishops of London and Bristol, and some other peers, excepted against that clause, alledging, among other things, ' That it was inju-
 ' rious to the late queen's memory, and clashed with that
 ' part of his majesty's speech, which recommended to both
 ' houses

houses the avoiding the unhappy divisions of parties: 1714-15. and that it was unjust to condemn persons without first hearing them.' The lord Bolingbroke in particular was very warm on the subject, and moved, that the words recover, &c. might be softened into 'Maintain the reputation of this kingdom;' and that the rest of the paragraph might be left out. The earl of Strafford likewise excepted against the clause, because it would expose the honour of the nation abroad, which he was sure had suffered no diminution during his negotiations. These and other arguments, urged on that side, were answered by the marquis of Wharton, the lord-chancellor, the earl of Nottingham, the earl of Aylesford, the duke of Devonshire, and other peers. The lord chancellor particularly confuted the objections raised by the lord Bolingbroke, saying, 'That the address did not condemn any particular persons, but only the peace in general, because they felt the ill consequences of it. That they, who advised and made such a peace, deserved indeed to be censured; but that, the words in the address being general, no private person was affected by them: and that the alteration of the word recover into that of maintain would signify no more towards the justification of the guilty, than the word recover towards the condemnation of the innocent.' After this debate, the address was approved and presented by the lords in a body to the king.

The commons in their address, after having thanked the king for his assurances, and expressed their sense of the reproach brought upon the nation by the unsuitable conclusion of the war, added, We are under astonishment to find, that any conditions of the late peace, essential to the security and trade of Great-Britain, should not yet be duly executed; and that care was not taken to form such alliances, as might have rendered that peace not precarious. And as no care shall be wanting in your loyal commons to inquire into these fatal miscarriages; so we intirely rely on your majesty's wisdom, to enter into such alliances, as you shall judge necessary to preserve the peace of Europe; and we faithfully promise to inable your majesty to make good all such engagements.

'It is with just resentment we observe, that the pretender still resides in Lorrain; and that he has the presumption, by declarations from thence, to stir up your majesty's subjects to rebellion. But that, which raises the utmost indignation of your commons, is, that it ap-

The commons address

1714-15.

‘ appears therein, that his hopes were built upon the measures that had been taken for some time past in Great-Britain. It shall be our business to trace out those measures, whereon he placed his hopes, and to bring the authors of them to condign punishment. Then, taking notice of the ill situation of trade, they conclude with assuring, that they would enable his majesty to support the dignity of the crown, and make an honourable provision for the royal family.’

Debate in
the house of
commons
about their
address.

When this address was reported to the house, it occasioned a warm debate, like that in the house of lords on the same occasion. Mr Bromley, Sir William Wyndham, general Ross, Mr Caesar, Mr Ward, Sir William White-locke, Mr Hungerford, Mr Shippen, and some others, raised several objections to it, which were answered by Mr Robert Walpole, Mr secretary Stanhope, Sir Gilbert Heathcote, and Mr Pulteney. General Ross insisted, ‘ That the condemning the peace, and censuring the late ministers, was a reflection on the late queen, whose act the peace was ; and that the reflecting on the late queen could not be agreeable to his present majesty.’ He was answered by Mr Walpole and Mr Stanhope, ‘ That nothing was further from their intentions than to asperse the late queen : that they rather designed to vindicate her memory, by exposing and punishing those evil counsellors, who had deluded her into pernicious measures ; whereas the opposite party endeavoured to screen and justify those counsellors, by throwing on the memory of her late majesty all the odium of their evil counsels.’ As to what was objected, that the censuring the late ministers without a hearing, and condemning the peace without examining into particulars, was unjust and unprecedented, it was answered, ‘ That they must distinguish between censuring ministers, and condemning the peace in general, and condemning particular persons. That they might, in equity and justice, do the first, because the whole nation is sensible, that their honour and true interest were given up by the late peace. That, in due time, they would call them to an account, who made and advised such a peace ; but God forbid they should condemn any person unheard.’ On this occasion Mr Stanhope took notice of a report industriously spread about, ‘ That the present ministers never designed to call the late managers to an account, but only to censure them in general terms. But he assured the house, that notwithstanding

‘ all

all the endeavours, which had been used to prevent a discovery of the late mismanagements, by conveying away several papers from the secretaries office : yet the government had sufficient evidence left, to prove the late ministry the most corrupt, that ever sat at the helm. That those matters would soon be laid before the house ; and that it would appear, that a certain English general had acted in concert with, if not received orders from marshal 'de Villars.' Sir William Wyndham endeavoured to prove, that the peace had been very beneficial to this kingdom, and offered to produce a list of goods, by which it appeared, that the customs had increased near 100,000*l.* per annum. But he was answered by Sir Gilbert Heathcote, who readily owned, that Sir William might indeed produce a list of vast imports from France ; but desired him to shew, that our exports thither, particularly of our woollen manufactures, had increased since the peace. He added, that imports, being only our consumption, rather prove our loss than our gain ; and that the nation gets only by exports, which keep up our manufactures, employ our poor, and bring in returns of money. Sir William Wyndham made no reply ; but Sir William Whitelocke having suggested, that the whigs designed to involve the nation in a new war, and lay six shillings in the pound, he was answered by Mr Walpole, that none in the present ministry were for a war, if the same could any ways be avoided ; and that he doubted not but two shillings in the pound would be sufficient towards this year's service.

After these and some other speeches, the address was carried by a majority of two hundred and forty-four votes against a hundred and thirty-eight.

The conduct of the earl of Oxford and the lord Bolingbroke, the two chiefs of the late ministry, was at this time very remarkable. The earl skulked about sometimes in town, and sometimes in the country ; affecting to appear very unconcerned, professing his innocence, and boasting what great things he had done for securing the Hanover succession. The other affected to act a more open part, appeared every where, and spoke in parliament with such boldness, as if he had not the least sense of guilt, or dread of punishment. This was said to be owing to the advice of the lord Trevor, who represented to him, 'How much their cause would suffer, if he, whose chief interest it was to support it to the last, should meanly throw it up, by absenting himself. He assured him, no hold could be taken

The behaviour of the earl of Oxford and lord Bolingbroke. *Annals.*

1715.

‘ of his person till he was impeached ; which he could
 ‘ not be, till the papers relating to the part of the admi-
 ‘ nistration, in which he was concerned, were examined.’
 However, it was observed, that the earl of Oxford sold out
 all the stock he had in his own name in the south-sea
 company ; and the lord Bolingbroke’s heart began to fail
 him, as soon as he heard, that Mr Prior was landed at Do-
 ver, and had promised to reveal all he knew : which how-
 ever he did not make good, though he was favourably re-
 ceived by the king, to whom he was introduced by the
 earl of Dorset ; and the same day, was entertained at din-
 ner by the lord Townshend, together with the duke of Rox-
 burgh, Mr secretary Stanhope, the earl of Dorset, and the
 lord Lumley. That evening the lord Bolingbroke, who
 had the night before appeared at the play-house in Drury-
 Lane, and bespoke another play for the next night, and sub-
 scribed to a new opera, that was to be acted some time af-
 ter, went off to Dover in disguise, as a servant to la Vigne,
 one of the French king’s messengers ; and there William
 Morgan, who had been a captain in major-general Holt’s
 regiment of marines, hired a vessel, and carried him over to
 Calais, where the governor attended him in a coach, and
 carried him to his house, as appeared by Morgan’s exami-
 nation. The next day after it was publickly known that
 he was gone to France, there was handed about in writ-
 ing, and afterwards in print, the following letter said to be
 writ by him :

Mar. 26.

The lord
 Bolingbroke
 flies in dis-
 guise.

Mar. 31.

‘ My lord,

Dover, March 27.

‘ I left the town so abruptly, that I had not time to take
 ‘ leave of you, or any of my friends. You will excuse
 ‘ me, when you know, that I had certain and repeated in-
 ‘ formations from some, who are in the secret of affairs, that
 ‘ a resolution was taken by those, who have power to exe-
 ‘ cute it, to pursue me to the scaffold. My blood was to
 ‘ have been the cement of a new alliance ; nor could my
 ‘ innocence be any security, after it had been once demanded
 ‘ from abroad, and resolved on at home, that it was ne-
 ‘ cessary to cut me off. Had there been the least reason to
 ‘ hope for a fair and open trial, after having been already
 ‘ prejudged, unheard, by the two houses of parliament, I
 ‘ should not have declined the strictest examination. I
 ‘ challenge the most inveterate of my enemies to produce
 ‘ any one instance of criminal correspondence, or the least

‘ cor-

1715.

corruption in any part of the administration, in which I was concerned. If my zeal for the honour and dignity of my royal mistress, and the true interest of my country, has any where transported me to let slip a warm or unguarded expression, I hope the most favourable interpretation will be put upon it. It is a comfort, that will remain with me in all misfortunes, that I served her majesty faithfully and dutifully, in that especially, which she had most at heart, relieving her people from a bloody and expensive war; and that I have always been too much an Englishman, to sacrifice the interest of my country to any foreign ally whatsoever. And it is for this crime only, that I am now driven from thence.

'You will hear more at large from me shortly.

Yours, &c.'

Some maintained this letter to be supposititious, but the generality of the tories owned it to be true. And it plainly appeared afterwards, that he had just reasons to leave the kingdom.

Notwithstanding all the demonstrations of the ill conduct of the late ministry, many of their friends ventured to justify them; of which the address from the corporation of Wigan, in Lancashire, presented by Sir Robert Bradshaigh, was a remarkable instance; in which, after stiling the peace of Utrecht 'A general, solid, and beneficial peace for the people,' they proceed thus: 'We take this opportunity to return our thanks for your majesty's gracious assurance of protecting the episcopal church of England. This, with your being in full communion with that church, must make you dear to all the members thereof. We cannot but please ourselves with the hopes, that, by the establishment of your family amongst us, the favourable conjuncture (which has been so long wished for) is now come, to extend the episcopal government to the reformed churches abroad; which, as we believe, is the only foundation possible to unite the christian world upon (if ever it must be so happy) so it must render you, above all things, glorious to the whole reformation, by being the happy instrument of so universal a benefit.'

Addresses in
favour of the
late ministry.

About this time died Dr Gilbert Burnet, bishop of Salisbury, in the 72d year of his age. He was taken ill of a violent cold, which soon turned to a pleuretic fever. He was attended by his friend and relation Dr Cheyne. But the distemper growing to a height, which seemed to baffle all remedies, the assistance of Sir Hans Sloane and Dr Mead

Death of
bishop Burnet,
Mar. 17.

1715. was called for, who quickly found his case desperate. He bore the notice of the danger his life was in, with that calm resignation which had always supported him under the severest trials. As he preserved his senses to the last, he employed the remnant of life in acts of devotion, and in giving the best advice to his family; of whom he took leave, in a manner, that shewed the utmost tenderness, accompanied with the firmest constancy of mind. And whilst he was so little sensible of the terrors of death, as to embrace its approach with joy; he could not but express a concern for the grief he saw it caused in others (u). He was succeeded by Dr Talbot, bishop of Oxford, whose successor was Dr John Potter, regius professor, the present archbishop of Canterbury.

What

(u) His character was thus drawn by the marquis of Hallifax:

‘ Dr Burnet is like all men,
‘ who are above the ordinary
‘ level, seldom spoke of in a
‘ mean, he must either be rail-
‘ ed at or admired; he has a
‘ swiftness of imagination, that
‘ no other man comes up to;
‘ and as our nature hardly al-
‘ lows us to have enough of any
‘ thing, without having too
‘ much, he cannot at all times
‘ so hold in his thoughts, but
‘ that at some they may run
‘ away with him; as it is hard
‘ for a vessel that is brim-full,
‘ when in motion, not to run
‘ over; and therefore the vari-
‘ ety of matter, that he ever
‘ carries about him, may throw
‘ out more, than an unkind cri-
‘ tic would allow of. His first
‘ thoughts may sometimes re-
‘ quire more digestion, not from
‘ a defect in his judgment, but
‘ from the abundance of his
‘ fancy, which furnishes too fast
‘ for him. His friends love him
‘ too well, to see small faults;
‘ or, if they do, think that his

‘ greater talents give him a pri-
‘ vilege of straying from the strict
‘ rules of caution, and exempt
‘ him from the ordinary rules of
‘ censure. He produces so fast,
‘ that what is well in his writ-
‘ ings calls for admiration, and
‘ what is incorrect deserves an
‘ excuse; he may in some things
‘ require grains of allowance,
‘ which those only can deny
‘ him, who are unknown or
‘ unjust to him. He is not
‘ quicker in discerning other
‘ mens faults, than he is in
‘ forgiving them; so ready, or
‘ rather glad to acknowledge
‘ his own, that from blemishes
‘ they may become ornaments.
‘ All the repeated provocations
‘ of his indecent adversaries
‘ have had no other effect, than
‘ the setting his good nature in
‘ so much a better light; since
‘ his anger never yet went far-
‘ ther than to pity them. That
‘ heat, which in most other
‘ men raises sharpness and fa-
‘ tire, in him glows into warmth
‘ for his friends, and compassion
‘ for those in want and misery.
‘ As dull men have quick eyes,
‘ in

What precaution soever had been taken, about a third part of the commons were tories. This appeared as soon as the parliament met. Sir William Whitelocke, member for the university of Oxford, upon a motion in the house of commons, to take into consideration the king's proclamation of the 15th of January, for calling a new parliament, made exceptions to the proclamation as unprecedented and unwarrantable; and was called upon by some members to explain himself; upon which he made an excuse for what he had said. Notwithstanding this, Sir William Wyndham rose up and said, that the proclamation was not only 'unprecedented and unwarrantable, but even of dangerous consequence to the very being of parliaments.' He was called upon to justify his charge, which he declined, but said, 'That, as he thought some expressions in the proclamation of dangerous consequence, so he believed every member was free to speak his thoughts.' He was answered by lord Finch, 'That no doubt every member had that liberty, freedom of speech being one of their es-

1715.

The king's
proclamation
objected
against.

Apr. 6.
Pr. H.C.

'in discerning the smaller faults
'of those, that nature has made
'superior to them, they do not
'miss one blot he makes; and,
'being beholden only to their
'barrenness for their discretion,
'they fall upon the errors,
'which arise out of his abun-
'dance; and by a mistake, in-
'to which their malice betrays
'them, they think, that by find-
'ing a mote in his eye, they
'hide the beams, that are in
'their own. His quickness
'makes writing so easy a thing
'to him, that his spirits are nei-
'ther wasted nor soured by it:
'the foil is not forced, every
'thing grows, and brings forth
'without pangs; which distin-
'guishes as much what he does,
'from that which smells of the
'lamp, as a good palate will
'discern between fruit which
'comes from a rich mould, and
'that which tastes of the un-
'cleanly pains, that have been
'bestowed upon it. He makes

'many enemies, by setting an
'ill-natured example of living,
'which they are not inclined to
'follow. His indifference for
'preferment, his contempt not
'only of splendor, but of all
'unnecessary plenty, his de-
'grading himself into the lowest
'and most painful duties of his
'calling, are such unprelatical
'qualities, that, let him be ne-
'ver so orthodox in other
'things, in these he must be a
'dissenter. Virtues of such a
'stamp are so many heresies, in
'the opinion of those divines,
'who have softened the prima-
'tive injunctions, so as to make
'them suit better with the pre-
'sent frailty of mankind. No
'wonder then, if they are an-
'gry, since it is in their own de-
'fence, or that from a principle
'of self-preservation they should
'endeavour to suppress a man,
'whose parts are a shame, and
'whose life is a scandal to
'them.'

1715.

‘ sential privileges. But that the house, at the same time, had both liberty and power to censure and punish such members as transgress the rules of decency, trespass upon the respect due to the crown, and so abuse the privilege of the house within doors, as to render it contemptible without.’ Sir William being again called upon to explain himself, and still refusing, some members cried, ‘ The Tower, the Tower.’ But Mr Robert Walpole spoke to this effect: ‘ Mr speaker, I am not for gratifying the desire, which the member, who occasions this debate, shews, of being sent to the tower. It would make him too considerable. But as he is one, who sets up for a warm champion of the late ministry, and was in all their secrets, I would have him be in the house, when we come to inquire into the conduct of his friends, both that he may have an opportunity to defend them, and be a witness of the fairness, with which we shall proceed against those gentlemen; and that it may not be said, that we take advantage against them.’ After several other speeches which prolonged this debate above four hours, a motion was made, and the question proposed, ‘ That Sir William Wyndham, having reflected upon his majesty’s proclamation, and having refused to justify his charge, altho’ often called upon so to do, is guilty of a great indignity to his majesty, and of a breach of the privilege of this house.’ This motion occasioned a fresh debate. The house still insisted, that Sir William should justify his charge; and he has obstinately declined to do it, saying, ‘ He was ready to undergo whatever a majority would inflict upon him.’ At last, the question being put, that he should withdraw, it was carried in the affirmative by two hundred and eight voices against one hundred and twenty-nine; whereupon he withdrew, as did all the hundred and twenty-nine members, who had been for the negative. Then the house unanimously resolved, That Sir William should be reprimanded by the speaker. This was done by the speaker in the following manner:

‘ Sir William Wyndham,

‘ I am to acquaint you, that the house has come to this resolution, that you be reprimanded in your place by me.

‘ You have presumed to reflect on his majesty’s proclamation, and made an unwarrantable use of the freedom of speech granted by his majesty.

‘ This

' This house has made their moderation appear, and shewn their lenity, by laying the mildest censure your offence was capable of. I am ordered to reprimand you, and do reprimand you accordingly.' 1715.

To which Sir William replied :

S I R,

' I return you my thanks for what you have done by the duty of your office in so candid and so gentleman-like a manner. As I am a member of this house, I very well know I must acquiesce in the determination of this house. But I am not conscious of any indignity to his majesty, or any breach of the privilege of this house; and therefore I have no thanks to give those gentlemen, who, under pretence of lenity, have brought this censure upon me (x).'

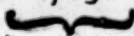
Three days after the commons entered upon what they said in their address of thanks should be their business, the inquiry into the conduct of the late ministry. General Stanhope presented to the house, in fourteen volumes all the papers relating to the late negotiations of peace and commerce, and to the cessation of arms, telling them, ' That nothing had been omitted, that might either answer the desire they had expressed of being thoroughly informed of what had passed in those important negotiations, or satisfy the whole world, that the present ministry acted with the utmost fairness and candour, and designed to take no manner of advantage over the late managers in the intended inquiries. That indeed the papers now laid before the house were only copies; but that the originals would be produced, if occasion required: concluding, that, those papers being too many and too voluminous to be perused and examined by all the members, he therefore moved, that they might be referred to a select committee of twenty persons, who should digest the substance of them under proper heads, and report the same, with their observations to the house.'

(x) The Tories took advantage of this moderation, and some of their writers secretly dispersed, not many days after, a libel intitled, ' The honour and partiality of the house of

commons, set forth in the case of Sir William Wyndham; containing bitter invectives against the well-affected. Annals,

The

1715.



Committee
of secrecy.

The earl of Oxford being come to town the night before, his brother Mr Edward Harley, a member of the house, said, 'That it was easy to see, that one of his nearest relations was principally aimed at in these intended inquiries; but he might assure the house, that the said person, notwithstanding the various reports, which had been spread concerning him, would neither fly his country, nor conceal himself, but be forth-coming whenever he should be called upon to justify his conduct. That he hoped he would be able, upon the severest trial, to make his innocence appear to all the world; but, if he should be so unhappy, as to have been guilty of the crimes, that were laid to his charge, he would think all his blood too small a satisfaction to atone for them.' No body opposed Mr Stanhope's motion; only Mr Hungerford excepted against the number of twenty, and moved, that one more might be added; which being readily agreed to, it was resolved, That the books and papers should be referred to a committee of secrecy, the number to be twenty-one, who were chosen by ballot (y).

The committee of secrecy met that evening, and chose Mr Robert Walpole for their chairman. But, he being the next day taken ill, the committee chose Mr Stanhope to supply his place; and, for dispatch, subdivided themselves into three committees, to each of which a certain number of books and papers were allotted. They made such dispatch, that their report was ready in two months.

The earl of
Oxford takes
his seat in
the house.
The earl of
Peterborough
forbid
the court.

On the 11th of April the earl of Oxford went to the parliament, and took his seat in the house of peers.

About this time the earl of Peterborough suddenly returned from his late travels to Italy and France, having met with the lord Bolingbroke on the road between Paris and Calais; but it was said, he did not speak to him. The next

(y) The committee consisted
of the following members;

Sir Richard Onslow,
Robert Walpole,
Spencer Cowper,
James Stanhope,
Hugh Boscawen,
William Pulteney,
Nicholas Lechmere,
Daniel lord Finch,
John Aislaiby,

Thomas Vernon,
Algernoon earl of Hertford,
Edward Wortley Mountague,
Sir David Dalrymple,
George Baillie,
Sir Joseph Jekyll,
Thomas Erle,
Richard Hampden,
Sir Robert Marsham,
Alexander Denton,
Thomas Pitt, senr,
Thomas lord Conningsby.

day

day after his arrival, the earl appeared at St James's, but, whatever was the occasion, two days after the lord Townsend signified to him an order forbidding him the court. 1715.

On the 12th of April the marquis of Wharton, lord privy-seal, died at his house in Dover-street, after an indisposition of twelve days, in the sixty-seventh year of his age. Death of lord Wharton.

His name will be ever endeared to the friends of liberty, and to all who have a true concern for the protestant interest. His character.

Could the services, which he performed for this nation and the present royal family be duly enumerated, they would appear beyond the best skill and abilities of any single man. King Charles II. admitted him to great familiarities, and had him for a companion in many of his debauches, with a design to make him wholly his own. With regard to private vices, the success was notorious; but, in what related to the publick and court he absolutely disappointed the king. He saw and heard the designs of a prince, to whose indolence and luxury the nation was obliged for its preservation. This gave him a just contempt for such a governor, and an abhorrence of all his views. King William was duly sensible of his services before and at the revolution. In that reign he attained to no higher a station than being comptroller of the household; which must be ascribed to the unhappy influence of those, who hated him, and his royal master. He received however the utmost proofs of confidence and respect, and had the king's most intimate designs communicated to him. His probity and good affection in what concerned the government was so well assured, that it gave him great and constant interest. Many important measures were ascribed to his secret advice. His great vigour and happy address in serving the good cause, which he had ever in view, cannot fully be described. His labours were infinite with men of all ranks, and on all proper occasions. He knew how to accommodate himself to every temper and inclination. What to others would have been great pain and trouble, afforded him great pleasure and satisfaction. The merit of his conduct in the country, at court, and in the senate, was equally admirable. His enemies, who were only so on the account of his publick zeal and usefulness, have greatly aggravated his immoralities, and loaded him with crimes, from which he was wholly free. But did he not learn the rudiments of vice under their favourite king Charles? Have not the private lives of most of their leaders been equally faulty? Are they excusable for pretending to the name and noise of religion;

1715.

religion? Lord Wharton's defects oblige us the more to admire his excellencies. In a life spent in a libertine manner, useful knowledge and learning were neglected. But an infinite fund of good sense and great natural abilities supplied whatever was wanting. On every emergency he discovered what was proper, and was never at a loss how to act. There was not only a readiness, and propriety in his speeches, but they were weighty and important. Nothing can be imagined more excellent than his skill and sagacity in the management of a debate. In these publick appearances he was greatly assisted, by never engaging in the support of what he did not believe to have truth and justice on its side. He lived to see the success of a cause, for which he had laboured with zeal and integrity. But his enjoyment of the blessing of the succession was very short. A misfortune in his family is supposed to have produced the fatal effect. His son possessed some of his parts and abilities, but his very different use and application of them are well known.

The great
eclipse.

On the 22d of April was the famous eclipse of the sun, to observe which the chevalier de Louville and Monsieur de Montmaur, two French mathematicians, came from Paris, by the direction of the royal academy of sciences, and were civilly entertained by the members of the royal society, with whom they joined in making their observations.

Two minis-
ters in Scot-
land suspend-
ed.
Annals.
Hist. Reg.
Pol. St.

The general assembly of the church of Scotland met on the 4th of May, the earl of Rothes, lord high-admiral of that kingdom, being the king's commissioner; and the most remarkable of their acts was the confirming the suspension of two ministers, Mr James Maitland of Innerkethie, and Mr John Maitland, of Fergus, his brother, who had been suspended by the synod of Aberdeen, for not observing the 20th of January, the thanksgiving-day for his majesty's accession to the crowns, and not praying for king George by name. These ministers refusing to answer any questions for removing the suspicion, which they lay under, of disaffection to the king, the assembly, by another vote, deposed them from the office of the ministry, and appointed their churches to be declared vacant.

The assembly had a difficult part to act in this nice juncture; for several of the presbyterians had given injunctions to their deputies, to move for an address to the king, that he would be pleased to use his endeavours that the church of Scotland might be delivered from the hardships brought upon her in the late reign, by the unlimited toleration granted to the episcopal preachers, and the act for restoring
lay

lay patronages, which were both contrary to the treaty of union. They had also some difficulty to avoid remonstrances against the union's being continued. But they managed their affairs with so much prudence, as to prevent any heats about those matters in the assembly, and used their endeavours with success to keep the honest part of the nation from pushing those things, so that they were willing to refer the redress of those grievances to a more proper season, when the king and the parliament might do it without interrupting the great affairs which then lay before them. Thus the general assembly of the church of Scotland ended quietly, and another was appointed to meet the first Thursday of May, 1716, according to custom. This was a great mortification to the jacobite party in both nations, who flattered themselves with creating divisions in the church of Scotland, by those popular topics; but the presbyterians refused to give into their measures.

The committee of the house taking the civil list into consideration, several papers relating to former establishments were read; and then the question was offered, 'That it appears to this committee, that the sum of 700,000*l.* per Ann. was settled upon king William during his life, for the support of his household, and other his necessary occasions; and at the time of his demise, after the deduction of 3700*l.* a week, which was applied to the publick uses, was the produce of the civil list revenues, that were continued and settled upon queen Anne, during her life.' Those, who proposed this question, had two things principally in view; to vindicate the present ministry from the aspersions cast upon them, and industriously spread about, by the emissaries of the late managers, that the whigs designed to give the king a larger revenue than his predecessors had enjoyed: and to make good the branches of the civil list revenue, which had been alienated or abridged; so that the whole neat produce might amount to 700,000*l.* per Ann. The leading men among the tories being sensible of the first, and pretending to be ignorant of the consequence of this preliminary question, insisted a long while, 'That it was insinuating. That what had been done by former parliaments, ought not to be a standing rule for the subsequent: that, supposing the parliament had given king William a revenue of 700,000*l.* per Ann. for the civil list, they ought to consider, that he was to pay out of it 50,000*l.* per Ann. to the late queen, then princess of Denmark; 15 or 20,000*l.* per Ann. for the late duke of

Debate
about the
civil list,
May 13.
Pr. H. C.

1715.

of Gloucester ; and 40,000*l.* for the dowry of king
 James's queen. That, after the late queen's accession
 to the throne, the parliament taking notice, that the pro-
 duce of the civil-list revenues exceeded what they had
 been given for, the sum of 3700*l.* per week (that is,
 192,400*l.* per annum) was taken out of them, and
 applied to other uses ; notwithstanding which deduction,
 the late queen had honourably maintained her family,
 and supported the dignity of the crown : however, if
 the present revenues of the civil-list were not sufficient,
 they were ready to consent to an addition.' It was an-
 swered, ' That the question before them was founded up-
 on facts, which, if denied, they were ready to prove
 by the records of the house.' But Sir William Wynd-
 ham still urging, that the question was insinuating, Mr
 secretary Stanhope answered, ' That he would be very
 plain with them, and own, that, as it was notorious,
 that great endeavours had been used to alienate the af-
 fection of the people from the king and his government,
 by false suggestions, that they desired to plunge the na-
 tion into extraordinary expences, they thought it highly
 necessary to clear his majesty and his ministers from that
 malicious aspersion.' To this lord Guernsey replied,
 ' That the disaffection of the people, if any, did not
 proceed from his majesty, but from the hardships his
 ministers put on the tory party.' To this it was returned,
 ' That, as soon as it would be made known to the world,
 how the late ministry had used, not only the whigs, but
 the whole nation, nothing, that could be done against
 them, would then be thought a hardship ; but, how-
 ever, that neither that noble member, nor any of his
 family, had reason to complain of hardships,' After
 some other speeches the tories endeavoured to drop the
 question, by moving, that the speaker might resume the
 chair ; which being rejected, the question was carried in
 the affirmative, and a motion made that 700,000*l.* clear
 should be granted yearly for the civil-list. The question,
 being put upon this motion, occasioned another great de-
 bate. Sir Thomas Hanmer, Mr Bromley, Sir William
 Wyndham, Mr Cæsar, Mr Hungerford, and some other
 leading tories, did not at first directly oppose the question,
 but insinuated, ' That, before they came to that resolu-
 tion, it would be proper, that a particular of the king's
 expence should be laid before the house.' Mr Wal-
 pole, Mr secretary Stanhope, Mr Lechmere, and others,

having

having exploded that proposal, as altogether inconsistent with the king's honour, to have all the private expences of his family and household looked into, as if he had need of a guardian; the tories then moved, that the sum of 600,000 l. per annum be given to his majesty, and 100,000 l. per annum settled on the prince of Wales. The court-party perceiving, that the proposal of giving the prince of Wales a separate revenue was only a design to divide the royal family, by lessening the dependance of the next heir, opposed it; and, the question being put on that motion, it was carried in the negative by a great majority. The tories having lost these two points, some of that party more openly opposed the main question. Among the rest, Sir William Wyndham said, 'He had the honour to serve her late majesty, and had the opportunity to look both into her revenue and her expence; and he could assure the house, that about 500,000 l. per annum was sufficient for the support of her family and civil-list; tho' she reserved about 50,000 l. a year for the late king's James's consort.' The court-party were glad of this confession, and Mr secretary Stanhope desired the committee to take notice of what that gentleman had advanced, because it would serve to confirm some matters, which the committee of secrecy had found in the papers, that were laid before them. The question being put, it was carried without dividing, that 700,000 l. a year clear should be granted for the civil-list during the king's life.

There was another warm debate a few days after, upon a motion for an address against pensions. The leading tories and others exclaimed against the pensions given by the crown to several persons of quality (some of whom they named) who had no occasion for them. Mr Robert Walpole urged, 'That they ought not to stint the king's beneficence, nor debar him from the exercise of the most glorious branch of his prerogative, which is to bestow his favours on such, as distinguish themselves in his service.' He was seconded by Mr Hampden, who observed, that all the pensions, about which so much noise was made, did not amount to above 25,000 l. and then moved, That the chairman should leave the chair; which, being put to the vote, passed in the affirmative by three voices only, a hundred and ninety-one against a hundred and eighty-eight.

Debate about
pensions.
May 18.

On

1715.

Debate on a
bill to regu-
late the land-
forces.

Pr. H. L.

On the 30th of May, the house of peers, in a grand committee, considered of the bill for regulating the land-forces; when there arose a great debate about a clause, for confining the several regiments to those parts of his majesty's dominions, for which they were allotted; for instance, the twelve thousand men, that were on the Irish establishment, to Ireland. The duke of Bucks, the lord Trevor, the lord North and Gray, the bishop of Rochester, and some others of that party, spoke for the clause. But the duke of Marlborough and some other lords shewed the fatal consequences, with which it might be attended, in case of an invasion from abroad, or an insurrection at home, by a number of enemies, foreign or domestick, superior to the number of forces actually on the spot, where either of them should happen. It was further urged, 'That his majesty having 'trusted his person and family intirely in the hands of the 'nation, and at the opening of this session told the parlia- 'ment, That what they should judge necessary for their 'safety, he should think sufficient for his own; the least, 'they could do for him, was to leave to his wisdom and 'discretion the disposal of the few troops, that were kept 'on foot.' Some tory lords moved, that the foreign officers might be excluded from that number: But the duke of Marlborough spoke in their favour, and argued, 'That to 'exclude officers, who, like the French refugees, had, for 'above five and twenty years, served England with distin- 'guished zeal and untainted fidelity, would be a piece of 'injustice unprecedented in the most barbarous nations.' After some other speeches, the question was put, whether the clause should be inserted; and it was carried in the negative by eighty-one voices against thirty-five. The next day, the lords read the bill the third time, which, with some amendments, was approved, and sent down to the commons (z).

On

(z) About this time, there was a petition presented to the lords by Mrs Mary Forrester, maid of honour to the late queen, and now to the princess of Wales, setting forth, that about thirteen years ago, when she was but twelve years of age, she had been married to Sir George Downing, then about

fifteen. That, Sir George going then to travel, he did, upon his return, shew his dislike to the match, which had prevented their cohabitation: and therefore they prayed, that they might be separated, and at liberty to marry again. Several of the lords, and particularly the bishops, spoke against al-
lowing

On the 18th of May, Sir John Norris, with a squadron of twenty men of war, and a fleet of merchant-ships under his convoy, sailed from the Nore to the Baltick, in order to protect the trade of his majesty's subjects in those seas. The violent proceedings of the king of Sweden in rejecting the treaty of neutrality concerted by England and Holland, and other members of the grand alliance, for preserving the remains of his army under general Craffau, and for the security of his German dominions, and in causing the ships of all nations whatsoever, without distinction, trading to the Baltick, to be seized and confiscated, even some years before king George's accession to the throne, obliged, at last, the king and the States-general, after having made proper instances for redress to no purpose, to use their fleets for the protection of their subjects in their navigation and commerce to those parts. The British and Dutch ministers had jointly, or separately, made these instances in the most earnest manner, by variety of memorials delivered yearly to the king or senate of Sweden, so long as from the year 1710, without being able to obtain the least satisfaction. The last memorial of Mr Jackson, the English resident at the court of Sweden, before the English squadron was sent, was presented to the senate at Stockholm, January 14, 1714-15, complaining, that the loss of the English merchants from the Swedish cruisers amounted to 65,449*l*. sterling. The Swedish regency returned an answer on the 8th of February N. S. by which they referred him to the king of Sweden himself, who was then at Stralsund. In short, though the Dutch as well as the British ministers made repeated complaints of those seizures, the king of Sweden was so far from regarding them, that he issued out new orders to his men of war and privateers, to seize and confiscate all ships, that traded with any place conquered by his enemies; and these orders were so very strict, and clogged with such terms on all merchant ships, as in a manner rendered the trade of the Baltick impracticable, without a sufficient force to convoy the merchant-ships, that traded thither (a).

On

allowing a divorce, and, the matter being put off till the 3d of May, it was, upon debate, carried by fifty against forty-eight, to reject the petition, the bishops being against the divorce, lest it

should weaken the obligations of marriage.

(a) After Steinbock and his army (See p. 64.) were taken prisoners, count Welling concluded a treaty with the admini-

A a

nistrators

1715.

Affairs at sea, particularly in the Baltick.

See Interest of Great-Britain steadily pursued.

1715.

Death and
character of
the earl of
Hallifax.

On the 19th of May died Charles earl of Hallifax. He was descended from a younger branch of the Manchester family, and came into the world without any advantages of fortune. But useful parts, and several lucky opportunities

nistrator of Holstein-Gottorp, by which it was agreed, that the towns of Stetin and Wismar should be sequestered into the hands of the king of Prussia, and the administrator to secure them as well as the rest of the Swedish Pomerania, from the northern allies, the Poles and Muscovites. Count Meyerfeldt, governor of Pomerania, refusing to comply with this treaty, the northern allies marched into Swedish Pomerania, took the island of Rugen, and forced Stetin to capitulate; upon this, Meyerfeldt accepted the sequestration, which the king of Prussia was prevailed upon to take upon himself. As the Muscovites and Poles demanded the expences of the siege of Stetin, the king of Prussia paid them for the king of Sweden 400,000 rixdollars. The king of Sweden, after his return from Turkey, refused to comply with the treaty of sequestration, and insisted, that Stetin should be forthwith restored to him without the repayment of the 400,000 rixdollars, nor would he depart from his design of invading Poland and Saxony, but was resolved (as he said himself) to chastise his false friends as well as his open enemies. This was in effect a declaration of war against all who would not assist him in procuring a restitution of what he had lost, or would not enter into a war against the

States, then engaged in war against Sweden. King George, having certain information that the king of Sweden would not fail, upon the first opportunity, to invade his electorate of Brunswick, resolved to act in concert with the kings of Denmark and Prussia, for securing the peace of the empire, and oppose the designs of the Swede. To this end a treaty was concluded between the kings of Great Britain and Denmark, by the third article of which it was agreed, that the duchies of Bremen and Verden should be made over to his Britannick majesty, his heirs and posterity for ever, with this proviso, that he should, the moment he took possession of them, declare war against Sweden. This treaty was ratified and exchanged the 17th of July, 1715, and the duchies were delivered up the 15th of October following, on which day a declaration of war was published by king George, in his German dominions. Presently after 6000 Hanoverians marched into Pomerania to join the Danes and Prussians, who, after having taken the isles of Rugen and Uledon, were then attacking Wismar and Stralsund. The king of Sweden was himself at Stralsund, and, finding it impossible to hinder the town from being taken, embarked on board a vessel, and arrived at Schonen, on the 21st of December, after having been almost

1715.

of producing them, soon gave him a figure in life. He had the reputation of a fine taste, and of being master of polite literature. His projects and his poetry have been ascribed to others, who submissively bestowed on him their thoughts and labours. It is not worth controverting, whether he was the author or the adopter of schemes for the service of the government; since his merit, in the proper application of them, is undeniable. Recoinng the money, and Exchequer bills, delivered the nation from distresses, which seemed to be attended with unavoidable ruin. Many, who envied a young man the natural reputation of such performances, and many others, who were enemies to the government, incumbered him with all imaginable difficulties.

His skill as a speaker and manager must be unquestionable, which inabled him to execute such great designs. But, when his and the nation's enemies, aided by the perverseness of the times, had gained the ascendant, his vigour and spirit totally failed; and he implored in abject terms their mercy, whose rage and insolence were confirmed by his applications.

When the staff was taken from the duke of Shrewsbury, he was placed at the head of the treasury, and had the garter, and an addition of title, but not the satisfaction, which might naturally have been expected from so many happy events. Not finding himself possessed of the fulness of power, and the post of high treasurer, which he imagined to be his due, he entered into measures with the authors of the fatal cessation of arms, and the destructive peace. And though it would have confirmed the disgusts of our allies, and been the highest indignity to the king's affectionate and sincere friends, had he succeeded, yet he pursued his designs of removing those, who had been fellow-labourers and fellow-sufferers with him. The perpetual enmity of his new friends to king William, who had raised him from the lowest to the highest station in life, the ignominy of an impeachment, and the censures and re-

almost sixteen years absent from his antient dominions. Upon his arrival, he assembled what troops he could, in order to pass the Sound over the ice, and attack Copenhagen, but was disappointed by a sudden thaw. Notwithstanding the ear-

nest intreaties of his sister and the senate of Sweden, he declined going to Stockholm, and remained at Carelscoon, in order to harten his fleet, and relieve Wismar. Thus stood affairs in Sweden, at the king's return out of Turkey.

1715. proaches, with which they had pursued him for many years, were all forgotten. Such are the effects of boundless pride and ambition! but a violent distemper speedily put an end to his life, and all his devices.

He left behind him the fame of being an encourager of men of parts and learning; and is said to have shewn himself such in an agreeable and liberal manner. His performances in poetry have had their full praise. A poetical turn infected his prose. Far from finding the purity and strength of lord Sommers's compositions, we have in many of his a perpetual affectation of figurative ornaments.

Address a-
bout the
fifty new
churches.
May 27.

The commissioners, appointed for building the fifty new churches, presented an address to the king, wherein they set forth, that, several chapels and churches being almost ready, they found themselves under a difficulty how to proceed for want of a due maintenance for the ministers, without which no bishop could regularly consecrate a church, nor any patron be effectually treated with. The king told them he should readily comply with their desire, being resolved to embrace all opportunities of encouraging a work in which the honour of the church of England was so much concerned.

Order of the
justices a-
gainst riots.
Annals.

May 28.

This answer is one, among many other instances of the king's care for the church of England, though the danger of it under his administration was made a principal topick to excite the people to rebel, and to raise mobs and tumults almost on every publick day; for the prevention of which, the justices of the peace of Westminster and Middlesex published an excellent order, but with so little effect, that, on the king's birth-day, the mob insulted the citizens, who shewed their joy by bonfires, and illuminations. The care of the magistrates in both London and Westminster, and the orders that had been given the horse-guards, kept them in some awe on that day. But the next, being the anniversary of the restoration of king Charles II, they made greater illuminations, and more bonfires, than were seen the day before, especially in the city of London, where they broke the windows of such houses, as were not illuminated, and amongst them those of the lord-mayor. They insulted four life-guards, who were patrolling, and obliged them to cry out, as they did. High-church and Ormond. In Smithfield they burnt a print of king William. This riot being unexpected, there was not force enough at hand to suppress it immediately; but, at last, some citizens and constables dispersed them, when they came

came to Cheapside, and about thirty of the mutineers were secured and committed to prison. The same evening one Bournois, a French or Irish school-master, was by Sir Charles Peers sent to Newgate, for high-treason, having proclaimed in the street, that king George had no right to the crown. He was afterwards tried for it, and whipped through the city, according to sentence; and, his constitution being destroyed by the venereal disease, he died in a few days after. It appeared, he was a popish priest, and taught French for a colour.

During these commotions the following accident happened, which was made use of to increase the popular ferment. On the king's birth-day, new cloathing was delivered to the first regiment of foot-guards; but, so particularly coarse were the shirts, that the soldiers were much offended at it. There being a great number of Irish papists, and other disaffected persons, then in the guards, their discontent was easily improved by the enemies of the government; so that some of the soldiers had the insolence to throw their shirts into the king's and duke of Marlborough's gardens at St James's; as a detachment marched from Whitehall, through the city, to relieve the guard in the Tower, the soldiers pulled out their shirts, and shewed them to all shopkeepers and passengers, crying out, 'These are the Hanover shirts, &c.' The court being informed of what had passed, and foreseeing the consequences, orders were immediately sent to the guard at Whitehall, to burn those new shirts; which was done that very evening (b).

The clamour
about the sol-
diers shirts.

May 30.

About

(b) The duke of Marlborough's enemies laying hold of this occasion to reflect on him, as if he were to bear the blame of the injustice done to the soldiers of his regiment, the following advertisement was made publick in the news-papers: 'His grace the duke of Marlborough being informed, that the undertakers for the first regiment of foot-guards had delivered to the several companies their cloathing, no way answerable to the pattern a-

'greed for: his grace, therefore, ordered the said cloathing to be visited, who finding the soldiers very much abused in their shirting. his grace immediately directed the shirts to be burnt, as well to punish as to deter such undertakers from committing the like abuses for the future; which was done accordingly, and the rest of the cloathing has been compared with the pattern, that the soldiers may have justice done in all the

A 2 3

' other

1715.

White's letter.
Annals.

A packet
seized, directed to
Dr Swift.

Shippen's
speech on the
bill for regulating the
forces.
Pr. H. C.

About the middle of May, there was an intercepted letter returned from Ireland, written by captain Wight, a reformed Officer of Windsor's regiment, to his friend in that country, and, by a mistake, carried to a person of the same name, in which were these expressions: 'The duke of Ormond has got the better of all his enemies; and I hope we shall be able, in a little time, to send George home to his country again.' A warrant was issued from the secretary's office for apprehending captain Wight, who absconding, a reward of 50l. was offered by the government to any, who should discover him. Not many days after, Mr George Jeffreys was seized at Dublin, upon his arrival there from England; and, being examined before the lords-justices, a packet was found about him, directed to Dr Jonathan Swift, dean of St Patrick's. This packet Jeffreys owned he had received from the duke of Ormond's chaplain; and, several treasonable papers being found in it, they were transmitted to England. Jeffreys was obliged to give bail for his appearance; of which Dr Swift having notice, and that search was made after him, he thought fit to abscond.

The bill for regulating the forces having been sent down to the commons by the lords, the amendments made to it were, after a debate, agreed to. Mr Shippen, for-

'other particulars. In the mean time, his grace ordered two shirts to be made of good linen cloth for each soldier, in lieu of one, as likewise new waistcoats, instead of the waistcoats made by the undertakers of their old coats, and the old cloathing to remain to each soldier's own use.' And when the duke reviewed the first regiment of guards, on the 2d of June, he made them a speech, expressing his concern for their just complaints, and his being intirely innocent of the grievance: adding, 'I have had the honour to serve with you a great many campaigns, and believe you will do me the justice to tell the world,

'that I never willingly wronged any of you; and, if I can be serviceable to any of you, you may very readily command it, and shall be glad of an opportunity for that purpose. I hope I shall now leave you good subjects to the best of kings, and every way intirely satisfied.' Upon which, the soldiers, with great acclamation, expressed their satisfaction.

Mr William Churchill, the contractor for the cloathing, laid the blame upon Mr Brooksbank, the woollen draper, who threw it on Mr Heron, the linnen-draper, by whom an advertisement was also published in his own defence.

merly

merly a commissioner of publick accounts, having, on this occasion, reflected on the ministry, as if they designed to set up a standing army, and insinuated, as if, after all the clamour that had been raised, their secret committee would end in smoke; Mr Boscawen, the late lord Falmouth, replied, 'That he could not forbear taking notice of the insolence of a set of men, who, having committed the blackest crimes, had yet the assurance to dare the justice of the nation: but he hoped those crimes would not long remain unpunished. That the committee of secrecy were ready to make their report, and had directed their chairman to move the house, that a day might be appointed for receiving it; and, in the mean time, he might venture to assure the house, that they had found sufficient matter to impeach of high-treason several lords, and some commons.' Mr Robert Walpole likewise said, 'That he wanted words to express the villainy of the last frenchified ministry;' and Mr secretary Stanhope added, 'He wondered, that men, who were guilty of such enormous crimes, had still the audaciousness to appear in publick.'

answered by
Mr Boscaw-
en.

The same day there was a debate in the house of lords about a bill for continuing the imprisonment of the conspirators against the life of the late king William (c). A petition having been offered in their behalf, the lord North and Grey moved, that a day might be appointed to consider of it; and was seconded by the lord Trevor. They were opposed by the lord Townshend, who said, 'he wondered any members of that august assembly would speak in favour of such execrable wretches, who designed to have imbrued their hands in the blood of their sovereign;' and moved, that their petition be rejected. The lord Delawar represented, 'That, after the death of king William, the parliament left to the discretion of the late queen either the continuing in prison, or enlarging of these criminals. That no body doubted her late majesty's being a princess of great clemency; but, at the same time, she had such a respect for the memory of king William, such a re-

Debate about
the conspira-
tors against
king Wil-
liam.†
Pr. H. L.

(c) These were Blackburn, Cassils, Bernardi, Meldrum, and Chambers, committed in 1696 for conspiring against king William. Several acts had passed

from time to time for continuing their imprisonment, but all of them expired at the queen's death.

1715.

‘gard to the safety of crowned heads, and such an ab-
 ‘horrence for the crimes, with which these prisoners
 ‘stood charged, that she did not think fit to release them
 ‘from their confinement. That all these reasons and con-
 ‘siderations were now enforced by the open disaffection,
 ‘which some people shewed to his majesty’s person and
 ‘government; and that they ought to be so tender of the
 ‘preservation of so precious a life as his majesty’s, that,
 ‘in his opinion, it were necessary to make the act in
 ‘question absolute, and not leave the confinement of the
 ‘criminals to his majesty’s discretion, lest his natural cle-
 ‘mency should make him overlook his own security.’
 He concluded with seconding the lord Townshend’s mo-
 tion for rejecting the petition, which was carried without
 dividing.

The report
 of the com-
 mittee of
 secrecy.
 Pr. H. C.

Motion for
 apprehend-
 ing such per-
 sons as should
 be named by
 the chair-
 man.

The committee of secrecy having finished their report,
 which was drawn up with indefatigable pains by Mr Wal-
 pole, that gentleman, as chairman, on the 9th of June,
 acquainted the house, ‘That he had a report to present,
 ‘according to their order, but was commanded by the
 ‘committee to make a motion before he read it, That
 ‘there were in the report matters of the highest impor-
 ‘tance. That, although the committee had power to
 ‘send for persons, papers, and records, they did not think
 ‘fit to make use thereof, believing it to be necessary, in
 ‘order to bring offenders to justice, that some persons
 ‘should be secure, before it is possible they should know
 ‘what they are to be examined to; and lest they should
 ‘have notice, from what should be read, to make their
 ‘escape. He was commanded, according to former pre-
 ‘cedents, to move, that a warrant may be issued by Mr
 ‘Speaker to apprehend certain persons, who should be
 ‘named to him by the chairman of the committee;
 ‘and that no members may be permitted to go out
 ‘of the house.’ The warrant being ordered, and the
 doors locked, several persons were named to the speaker
 by Mr Walpole; particularly Mr Matthew Prior and
 Mr Thomas Harley, who were taken into custody of the
 serjeant at arms. Then Mr Walpole read the report,
 which lasted from one o’clock till about six in the after-
 noon, when, a motion being made by the friends of the
 late ministry, that the further consideration of it should be
 adjourned till the next morning, it was carried in the ne-
 gative by two hundred and eighty-two voices against one
 hundred and seventy-one; and ordered, that the report be

now

now read: upon which, the clerk of the house having read till half an hour past eight, the further consideration of it was adjourned to the next day. The report consisted of,

1715.

1. The clandestine negotiations with monsieur Mesnager, Heads of the which produced two sets of preliminary articles; the one private and special for Great-Britain only; the other general for all the allies. Report.

2. The extraordinary measures pursued to form the congress at Utrecht.

3. The trifling, and amusements of the French plenipotentiaries at Utrecht, by the connivance of the British ministers.

4. The negotiations about the renunciations of the Spanish monarchy.

5. The fatal suspension of arms.

6. The seizure of Ghent and Bruges, in order to distress the allies, and favour the French.

7. The duke of Ormond's acting in concert with the French general.

8. The lord Bolingbroke's journey to France, to negotiate a separate peace.

9. Mr Prior's and the duke of Shrewsbury's negotiations in France.

10. The precipitate conclusion of the peace at Utrecht.

The committee also offered to the house what they found material in the papers referred to them concerning the Catalans and the pretender, and a letter from the earl of Oxford to the queen, with an account of publick affairs from August the 8th, 1710, to June the 9th, 1714; and they concluded with taking notice of several glaring inconsistencies, which are obvious by comparing the late queen's declarations with the measures, which her ministers presumed to take in carrying on those important negotiations.

The reading of this report by the clerk of the house of commons took up the remainder of that day, and all the next, till about four in the afternoon, when Sir Thomas Hanmer moved, that the consideration of it be adjourned till Monday se'nnight, and was seconded by the leading men among the Tories, who moved also, that the report should be printed, in order to be perused by all the members of the house. Upon which Mr Walpole said, 'He could not but wonder, that those gentlemen, who had shewed so great impatience to have the report laid before the house, should

THE HISTORY

' should now press for adjourning the consideration of it.
 ' As for the committee of secrecy, as they had not yet gone
 ' through all the branches of their inquiry, they could
 ' have wished, that some longer time had been allowed
 ' them to peruse and digest several important papers. In
 ' order to that, they would have deferred, three weeks or
 ' a month, the laying their report before the house, but,
 ' that some gentlemen having reflected on the pretended
 ' slowness of the committee, since the report was now be-
 ' fore them, they must e'en go through with it.' Mr
 Stanhope added, ' That, for his own part, he would rea-
 ' dily agree to give those gentlemen all the time they could
 ' desire to consider of the report; but that, since them-
 ' selves had precipitated this affair, he was of opinion,
 ' they ought to prosecute it with vigour, lest, by stopping
 ' on a sudden, they should fortify the notion, which the
 ' friends of the late ministry had, with great industry,
 ' propagated among the people, that the report of the
 ' committee of secrecy would vanish into smoke; the ra-
 ' ther, because these malicious insinuations had raised the
 ' spirits and insolence of the disaffected, and were the prin-
 ' cipal cause of the present ferment among the giddy multi-
 ' tude. That he agreed with the member, who had mov-
 ' ed the printing of the report, that not only the house,
 ' but the whole world might be convinced of the fairness
 ' and impartiality of their proceedings. But that the
 ' crimes of some persons named in the report were so obvi-
 ' ous to every body, that they ought, in his opinion, im-
 ' mediately to proceed to the impeaching of them.' The
 stories still endeavoured to put it off, and some proposed the
 adjourning of the debate till that day se'nnight; and others
 would have been contented to defer it for three days only.
 But the whigs were firm against all delays; and, the ques-
 tion being put about seven o'clock in the evening, on the
 motion made by Sir Thomas Hanmer, it was carried in the
 negative by two hundred and eighty against one hundred
 and sixty. This point being gained, Mr Walpole said,
 ' That he made no question, that, after the report had
 ' been twice read, the whole house was fully convinced,
 ' that Henry lord viscount Bolingbroke was guilty of high-
 ' treason, and other high crimes and misdemeanors. That
 ' therefore he impeached him of those crimes. But, if
 ' any member had any thing to say in his behalf, he doubt-
 ' ed not but the house was ready to hear him.' After a

The lord Bo-
 lingbroke
 impeached,

debate on it.

silence

1715.

Silence of some minutes, Mr Hungerford rose up and said, That, in his opinion, nothing was mentioned in the report in relation to the lord Bolingbroke, that amounted to high-treason.' And general Rofs added, 'He wondered no body spoke in favour of my lord Bolingbroke: that, for his own part, he had nothing to say at present, but reserved to himself to speak in a proper time.' The resolution for the impeachment then passed; and, candles being brought in, according to order, the lord Coningsby stood up, and said, 'The worthy chairman of this committee has impeached the hand, but I impeach the head: he has impeached the clerk, and I the justice: he has impeached the scholar, and I the master. I impeach Robert earl of Oxford and earl Mortimer of high-treason, and other high crimes and misdemeanors.' Mr Auditor Harley, brother to the earl, made a long speech, wherein he endeavoured to justify his brother, as having done nothing but by the immediate commands of the late queen; urging, that the peace was a good one, and approved as such by two parliaments; concluding, that the facts mentioned in the report, and which were charged on the earl, could not be construed to amount to high-treason, but only, in strict rigour, to misdemeanors.' He was supported by Mr Auditor Foley, the earl's brother-in-law, who complained of the hardship put upon that nobleman, in charging him with high-treason, before they had examined the report. But what was yet more favourable for the earl, was spoke by Sir Joseph Jekyll, one of the committee of secrecy, who said, 'That as to the lord Bolingbroke, they had more than sufficient evidence to convict him of high-treason. But, as to the earl of Oxford, he doubted whether they had either sufficient matter or evidence to impeach him of treason.' But another member of the committee of secrecy having assured the house, That, besides what had appeared before them, and was mentioned in the report, they had other evidence, *viva voce*, it was likewise resolved to impeach him without a division. After which the further consideration of the report was adjourned to that day se'n-night; and the report with the appendix were ordered to be printed, and copies to be sent to the Sheriffs and returning officers of every city and burrough.

The next morning the earl of Oxford went to the house of peers, and at first appeared undisturbed; but, finding that

and also the
 earl of Ox-
 ford.

1715. that most members avoided sitting near him, and that even earl Powlet was shy of exchanging a few words with him, he retired out of the house.

Prior and
Harley ex-
amined.

It was moved by Mr Walpole, from the committee, that the persons taken into custody should be examined in the most solemn manner. Accordingly, Mr Prior and Mr Harley were ordered to be examined by such of the committee as were justices of the peace for Middlesex; and two days after, Mr Walpole told the house, that, during a long examination, there appeared matters of such importance, that he was directed to move the house for Mr Prior's being closely confined, and no person suffered to come to him; which was agreed to.

This order occasioned various reports: some affirmed, that the earl of Oxford, or some of his friends, had been in close conference with Mr Prior, and so effectually tampered with him, that he was more reserved in answering questions than he had been before. However that be, it is certain, Mr Prior did prevaricate.

Behaviour of
the duke of
Ormond.

After these impeachments, that of the duke of Ormond became the principle subject of discourse. The high-church party made his name the signal for their tumults, threatening the government and parliament too, if they proceeded against him. His zeal for the church was their chief topick to excite the mobs to appear for him; and his noble birth, and the services of his ancestors, and of himself in Flanders during king William's reign, were insisted upon. Nor was his generosity, or rather profuse way of living, omitted, to prepossess the people in his favour; but all signified nothing; for though the king, at his first arrival, shewed more lenity and respect to him, than his conduct deserved, and seemed willing to pass by his miscarriages, while general, as far as possible, the behaviour of the duke and his friends was such, as made it impracticable; for instead of discouraging the mobs, who were taught to cry out, An Ormond, in opposition to king George, he plainly countenanced them, and took a great deal of pride to be the idol of the rabble. He affected to have people of quality appear at his levee, and frequent his house; and, instead of behaving himself submissively, had the vanity to justify his conduct in a printed piece, which in reality exposed him more to censure. About the middle of June, the following advertisement was dispersed with great industry: 'On Tuesday, the 7th of this month, her grace the duchess of Ormond, in her return from Richmond, was stopped

in her coach by three persons, well-mounted, and well armed in disguise, who inquired if the duke was in the coach, and seemed to have a design upon his life, if he had been there. It has been observed, that many persons, armed and disguised in like manner, have been watching by day and by night upon that road, on each side of the water, and it is not to be doubted, with a design to assassinate him.

This being evidently calculated to excite the fury of the populace against the duke's supposed enemies, the rest of his conduct could not but alarm the government, and perhaps provoked the house of commons to proceed against him sooner, and with more vigour, than they would otherwise have done. On the 21st of June, the day appointed for the further consideration of the report, Mr secretary Stanhope stood up, and said, 'He wished he were not obliged to break silence on that occasion; but, as a member of the secret committee, and of that great assembly, which ought to do the nation justice, he thought it his duty to impeach James duke of Ormond of high treason, and other high crimes and misdemeanors.' He was seconded by Mr Boscawen, but Mr Archibald Hutchinson, one of the commissioners of trade, made a long speech in behalf of the duke, wherein he set forth his noble birth and qualifications, and the great services, which both he and his ancestors had performed to the crown and nation; urged, that in the whole course of his late conduct, he had but obeyed the late queen's commands; and concluded, that, if all, that was alledged against him in the report, could be made out, it would, in the rigour of the law, amount to no more than high misdemeanors. This speech made a great impression on the house; and Mr Hutchinson was seconded by general Lumley, who said, among other things, 'That the Duke of Ormond had, on all occasions, given signal proofs both of his affection and love for his country, and of his personal bravery and courage, particularly at the battle of Landen, where he was wounded and taken prisoner; and that the late king William was extremely satisfied with his gallant behaviour. That he had generously expended the best part of his estate in the wars, living in a most noble and splendid manner, for the honour of his country. That therefore, in consideration both of his great services, and his illustrious relations, if he had of late been so unfortunate, as to fail in any part of his conduct, they ought not to proceed against him with the

utmost

He is impeached.
Pr. H. C.

1715.

' utmost rigour of the law; the rather, because he ever
 ' meant well, and was drawn into ill measures by crafty
 ' ministers.' Sir Joseph Jekyll spoke likewise in his fa-
 vour; he said, ' That, if there was room for mercy, he
 ' hoped it would be shewn to that noble, generous, and
 ' courageous peer, who, for many years, had exerted those
 ' great accomplishments for the good and honour of his
 ' country. That, if of late he had the misfortune to devi-
 ' ate from his former conduct, the blame ought not, in
 ' justice and equity to be laid to him, but to them principal-
 ' ly, who, abusing his affection, loyalty, and zeal for the
 ' service of his royal mistress, had drawn him into pernici-
 ' ous counsels. That therefore, as the statute of 25 Edw.
 ' III. on which the charge of high-treason against him
 ' was to be grounded, had been mitigated by subsequent
 ' acts, the house ought not, in his opinion, to take advan-
 ' tage of that act against the duke, but only impeach him of
 ' high crimes and misdemeanors.' Sir Joseph added, in the
 course of this debate, ' That some persons endeavoured to
 ' aggravate the duke of Ormond's faults, by charging upon
 ' him the riots and tumults, which the populace committed
 ' daily in many places: but that he durst aver, that he did
 ' no ways countenance those disorders; and if the disaf-
 ' fected made use of his name, unknown to him, he ought
 ' not to suffer for it.' General Ross laid great stress upon
 Sir Joseph Jekyll's opinion, and said all he could in his
 commendation, and the duke's defence. Sir William
 Wyndham, Mr Onslow, Mr Ward, Mr Hungerford,
 and some other members of both parties, spoke also on the
 same side. But Mr Lyddal, Mr Hampden, and Mr
 Thompson, recorder of London, strongly supported Mr
 Stanhope's motion; answered all that had been said in the
 duke's favour; and, among other things, represented,
 ' That his grace ever affected popularity: that he could
 ' not be ignorant of the tumults and riots, of which his
 ' name was the signal; and that since he did not publicly
 ' disown them, who made use of his name, his silence was
 ' a tacit approbation of their proceedings, and seemed to
 ' summon the people to a general insurrection.' Sir Ed-
 ward Northey, attorney-general, did not disown, but that
 in the report of the committee of secrecy there were some
 matters, on which an impeachment of high treason might
 be grounded against the duke of Ormond; but did not
 think it proper to explain himself further on that occasion.
 Mr Lechmere, solicitor-general, spoke plainer, and menti-
 oned

oned a case parallel to the duke's, which had been adjudged 1715.
 treason. The debate lasted till about half an hour after ten,
 when the question was put, and resolved by a majority of
 two hundred and thirty-four voices against one hundred and
 eighty-seven, 'That this house will impeach James duke
 of Ormond of high-treason, and other high crimes and
 misdemeanors.'

It was the general opinion, that the rash unadvised be-
 haviour of the duke's pretended friends, of whom bishop
 Atterbury was chief, greatly promoted this vote. It was
 said upon very good grounds, that a relation of the duke's
 had prevailed upon him at that time to write a submissive
 letter to the king, desiring a favourable interpretation of his
 former actions, and imploring his majesty's clemency;
 which had so good an effect, that he was to have been pri-
 vately admitted to the king in his closet, to confirm what
 he had written. But, before the time came, bishop Atter-
 bury had been with him, and the consequence was, that he
 left England abruptly and never returned to it more.

The duke
 flies out of
 England.

The commons resuming the consideration of the report, The earl of
 Mr Aislaby took notice 'of the general concern, that had Strafford
 appeared the day before in the house, for the noble per- impeached,
 son, who was impeach'd, because they were persuaded, June 22.
 Pr. H. C.
 'it was rather through weakness than malice, that he had
 'followed pernicious counsels. But that, in his opinion,
 'few, if any, would speak in favour of another lord, whom
 'he was to impeach. That the person he meant was
 'Thomas earl of Strafford, one of the plenipotentiaries of
 'Great-Britain at the congress at Utrecht, whose conduct
 'had been vastly different from that of his colleague, the
 'present bishop of London. That this good and pious
 'prelate seemed to have been put at the head of that nego-
 'tiation, only to palliate the iniquity of it under the sacred-
 'ness of his character; but was little more than a cypher
 'in the absence of the earl of Strafford. That the bishop,
 'not being in the secret, had acted with reserve and cauti-
 'on, and would do nothing without the queen's special
 'commands; whereas the earl of Strafford not only was
 'forward to venture and undertake any thing (as he ex-
 'presses himself in one of his letters) to be the tool of a
 'Frenchified ministry, but in many instances had gone be-
 'yond his instructions, and advised the most pernicious
 'measures. That having impartially weighed the different
 'conduct of these two ministers, he was glad, that nothing
 'could be charged upon the bishop, which gave them an
 'opportunity

1715.

‘ opportunity to convince the world, That the church is
 ‘ not in danger; but moved, that Thomas earl of Straf-
 ‘ ford be impeached of high crimes and misdemeanors.’
 Mr Aislaby enlarged upon this charge, which he reduced
 to three principal heads, ‘ 1. The earl of Strafford’s ad-
 ‘ vising the fatal suspension of arms; which was soon after
 ‘ attended with several misfortunes, that befel the allies,
 ‘ and at last forced them to the necessity of submitting to
 ‘ the terms of an unsafe dishonourable peace. 2. Adviling
 ‘ the seizing of Ghent and Bruges, in order to distress the
 ‘ allies, and favour the enemy. And, 3. The insolence
 ‘ and contempt, with which he had treated the most serene
 ‘ house of Hanover, and their generals and ministers.’ Mr
 Baillie of Jerviswood having seconded Mr Aislaby, Sir
 William Wyndham endeavoured to justify the earl of Straf-
 ford, as to the first head, by saying, ‘ That the peace,
 ‘ which was but the sequel and necessary consequence of
 ‘ the suspension of arms, had been approved as such by two
 ‘ successive parliaments, and declared advantageous, safe
 ‘ and honourable.’ Mr Shippen, Mr Ward, and Mr
 Snell spoke also in favour of the earl of Strafford, as did
 ‘ likewise Mr Hungerford, who, among other things, said,
 ‘ That though the bishop of London had an equal share
 ‘ with the earl of Strafford in the negotiation of peace, he
 ‘ was, it seems, to have the benefit of the clergy.’ General
 Ross having likewise said something to excuse the sus-
 pension of arms, general Cadogan answered him, and shew-
 ‘ ed, ‘ That, considering the situation of both armies, the
 ‘ confederates lost the fairest opportunity they ever had in
 ‘ Flanders to destroy the enemy’s army, and to penetrate
 ‘ into the very heart of France.’ But added, ‘ That no-
 ‘ thing less could be expected from a princess and a ministry,
 ‘ who had intirely delivered themselves into the hands of
 ‘ France.’ Sir James Campbel spoke also against the earl
 of Strafford; but the member, who distinguished himself
 most in this debate, was Sir James Dalrymple, who, with
 great clearness and solidity, summed up what had been
 said on both sides; and having illustrated the present case
 by parallel instances, and proper observations, shewed,
 that, both by the civil and statute laws, the earl of Strafford
 was, at least, guilty of high crimes and misdemeanors.
 Upon this the question was put, and by two hundred and
 sixty-eight against a hundred, it was resolved, ‘ That
 ‘ Thomas earl of Strafford be impeached of high crimes
 ‘ and misdemeanors.’

The

The articles of impeachment against the earl of Oxford being prepared by the committee of secrecy, they were read, on the 8th of July, before the house of commons, and the first ten were upon the question severally agreed to (d). The eleventh article, which was voted high-treason was to this affect:

1715.

Articles of
impeach-
ment against
the earl of
Oxford.
Pr. H. C.

Whereas

(d) The substance of the articles was: 1. He had entered into a negotiation with France without the allies, and agreed it should be kept secret. 2. He had advised the queen to permit the coming of Mesnager, treated with him, and assumed, without authority, the royal power. 3. He had prepared preliminaries signed by Mesnager, and sent them to Holland, when a private treaty was by his advice concluded with France. 4. He had not regarded the representations of Buis, the Dutch minister, but declared the queen had made no such treaty, nor would do so without the consent of the States. 5. He had ordered the bishop of London to insist upon Spain, though, by the preliminaries, the duke of Anjou was acknowledged as king, and though he had persuaded the queen not to insist upon the restitution of Spain. 6. He had not procured satisfaction for the allies, but acted in concert with France. 7. He had advised the queen to accept the duke of Anjou's renunciation, though Torci had declared it to be null and void by the fundamental laws of France. 8. He had with others advised, that the duke of Ormond should be ordered to engage in no battle or siege to the ruin of the affairs of the allies, and afterwards sent an order to the bishop

of London, to declare, that the queen looked upon herself to be then under no obligations whatsoever to the States. 9. He had advised that the duke of Ormond, with all the troops in the queen's pay, should separate themselves from the army of the allies, and not to pay the arrears due to those that refused. 10. He had advised the fatal suspension of arms, and the sending of lord Bolingbroke to France to settle the terms. 11. He had treacherously advised the enemy how to gain Tournay. 12. He had advised and assisted in giving up Spain and the West-Indies to the duke of Anjou. 13. He had treacherously advised the 9th article of the treaty of commerce with France, and the giving to the French the liberty of fishing, and drying fish on Newfoundland. 14. He had taken Sicily from the house of Austria, and given it to the duke of Savoy, without any application from the duke. 15. He had caused the queen to make several speeches and declarations to the parliament, wherein the terms of peace and commerce were falsely represented. 16. He had as far as in him lay destroyed the independency of the house of lords, by causing the queen to create twelve peers at once to serve his ends. To these were afterwards added the six

1715.

Whereas the States-general were, in September or October 1712, in possession of Tournay, and the French king had (during the private, separate, and traiterous negotiation between the earl of Oxford and others, and the ministers of France) signified his consent that Tournay should remain to the States as part of their barrier: and whereas the queen, in her instructions of Dec. 23, 1711, to her plenipotentiaries at Utrecht, had expressly directed them to insist with those of France, that towards forming a sufficient barrier, Tournay shall remain to the States, and did afterwards declare herself conformably thereto, in her speech to both houses on the 6th of June 1712: and whereas for several years before, and till the months of September and October, in 1711, there was open war between the late queen and the French king, the earl of Oxford, then high-treasurer, did, during the war, falsely, maliciously, wickedly, and traiterously assist and adhere to the French king, and did counsel and advise him in what manner Tournay might be gained from the States, contrary to his allegiance, and the laws of the realm.

Debate on
the 11th article.

A great debate arose upon the question, Whether this article was high-treason? Sir Robert Raymond, formerly solicitor general, Mr Bromley, Sir William Wyndham, the auditors Harley and Foley, Mr Ward, and Mr Hungerford (who had already spoke in favour of the earl of Oxford) maintained the negative, and were strongly supported by Sir Joseph Jekyll. Sir Joseph said, among other things: 'That it was ever his principle to do justice to every body from the highest to the lowest, being persuaded, that it was the duty of an honest man never to act by a spirit of party. That he hoped he might pretend to have some knowledge of the laws of the kingdom; and as, in the committee of secrecy, he had taken the liberty to differ from his colleagues, he would not scruple to declare now

following articles: 17. He had not (as prime minister) advised the queen against the destructive expedition to Canada. 18. He had procured a warrant for 13000*l.* for his own use. 19. He had procured a warrant for 5560*l.* to his relation Thomas Harley. 20. He had paid a large sum of money to king James's queen. 21. He had

received Patrick Lilesh (alias Lawless, an Irish papist as a foreign minister, and caused several sums of money to be paid him. 22. He had with others caused the Catalans to be exposed to the fury of an enraged, revengeful prince, against whom the late queen had engaged then to take arms.

to the whole house, that, in his judgment, the charge in question did not amount to high treason.' Most of the other members of the committee of secrecy were offended at this speech, which both revealed and censured their proceedings; and Mr Walpole answered with some warmth, 'That there were both in and out of the committee of secrecy several persons, who did not in the least yield to the member, that spoke last, in point of honesty; and who, without derogating from his merit, were superior to him in the knowledge of the laws; but who at the same time, were satisfied, that the charge specified in the eleventh article amounted to treason.' Mr Walpole was seconded by Mr Stanhope, the lord Coningsby, General Cadogan, Mr Boscawen, and Mr Aislaby: and, the article being amended, was agreed to by a majority of two hundred and forty-seven votes against one hundred and twenty-seven. Mr auditor Harley endeavoured to justify his brother, first, by urging, that he ever acted by the late queen's positive commands; to prove which he offered to produce two letters from her: and secondly, the necessity of making a peace; and he having upon this occasion advanced, that the Dutch prolonged the war, and that their deputies in the army had often prevented the giving the enemy a decisive blow; general Cadogan answered him with great force, and shewed, 'that the Dutch were more concerned than any prince or state in the grand alliance to put an end to the war; and undertook to prove, that there had not been any campaign in Flanders, except that, in which the duke of Ormond commanded, that was not marked and famous to all posterity for some signal and glorious event, to the advantage of the common cause.' The rest of the articles being agreed to, the lord Coningsby, attended by most of the members who voted for the impeachment, went up to the lords, and at the bar of the house impeached the earl of Oxford of high-treason, &c. The commons, at the end of the articles, prayed and demanded, that he might be sequestered from parliament, and committed to safe custody.

As soon as lord Coningsby and the members were withdrawn, a tory lord moved for adjourning the consideration of the articles, and was seconded by several of the peers of that party, particularly by the bishop of Rochester, who urged, 'That this accusation was of so extraordinary a nature, and so very important, both in itself, and its consequences, that the house ought to proceed on it with the

1715.

The bishop
of Rochester
reproved.

‘utmost caution and deliberation.’ But he was answered by the duke of Argyle, who, among other things, said, ‘It was well known, that the prelate, who spoke last, had of late studied politicks more than divinity, and was tho-roughly acquainted with the subject matter of the articles, that lay before them; and therefore he did not doubt, but his lordship was now as ready to speak to them, as he could ever be, if he had more time to consider of them.’

After a debate of about an hour and an half, the articles were voted to be read by a majority of eighty-six against fifty-four; which being done, a motion was made for consulting the judges, whether the charge amounted to high-treason. The lords Trevor and Harcourt, the dukes of Shrewsbury and Leeds, earl Powlet, the lord North and Grey, the bishop of Rochester, and some other peers of the same side, were for consulting the judges; but the lord-chancellor, the dukes of Argyle and Montrose, the earls of Nottingham, Sunderland, Dorset, and Ilay; the lord viscount Townshend, and some other lords spoke against it. The lord Trevor having gone so far, as to declare his opinion, That none of the articles amounted to high-treason, he was answered by the lord Cowper, who shewed the contrary, and challenged all the lawyers in England to disprove his arguments. The other side still insisting on consulting the judges, the earl of Nottingham represented to them, ‘That instead of favouring thereby the noble person, who had the misfortune to be impeached, as undoubtedly they meant it, they might, on the contrary, do him a great prejudice. For if, upon consulting the judges, they declared the charge to amount to treason, he would stand prejudged, before he was brought to his trial.’ After some other speeches, the negative was carried by eighty-four voices against fifty-two. And then it was moved, that the earl of Oxford should be committed to safe custody; which occasioned another debate; and the

The earl of
Oxford’s
speech in his
defence.

earl himself made a speech, wherein he took notice of ‘his having had the honour to be placed at the head of the late ministry; and must now, it seems, be made accountable for all the measures, that were then pursued. But that it was a very great comfort to him under this misfortune, that he had the honour to be a member of that august assembly, which always squares their proceedings and judgments by the rules of honour, justice and equity, and is not to be biaised by a spirit of party. That the whole accusation might be reduced to the negotiation and con-

‘clution

1715.

clusion of the peace. That the nation wanted a peace (says he) nobody will deny; and I hope it will be as easily made out, that the conditions of this peace are as good as could be expected, considering the circumstances wherein it was made, and the backwardness and reluctance, which some of the allies shewed to come into the queen's measures. This is certain, that this peace, as bad as it is now represented, was approved by two successive parliaments. It is indeed suggested against this peace, that it was a separate one. But I hope, my lords, it will be made appear that it was general; and that it was France, and not Great-Britain, that made the first steps towards a negotiation. And, my lords, I will be bold to say, that, during my whole administration, the sovereign upon the throne was loved at home, and feared abroad. As to the business of Tournay, which is made a capital charge, I can safely aver, that I had no manner of share in it; and that the same was wholly transacted by that unfortunate nobleman, who thought fit to step aside. But I dare say in his behalf, that, if this charge could be proved, it would not amount to treason. For my own part, as I always acted by the immediate directions and commands of the late queen, and never offended against any known law, I am justified in my own conscience, and unconcerned for the life of an insignificant old man. But I cannot, without the highest ingratitude, be unconcerned for the best of queens; a queen, who heaped upon me honours and preferments, though I never asked for them; and therefore I think myself under an obligation to vindicate her memory, and the measures she pursued, to my dying breath. My lords, if ministers of state, acting by the immediate commands of their sovereign, are afterwards to be made accountable for their proceedings, it may one day or other be the case of all the members of this august assembly. I do not doubt, therefore, that, out of regard to yourselves, your lordships will give me an equitable hearing; and I hope, that in the prosecution of this inquiry, it will appear, that I have merited, not only the indulgence, but likewise the favour of this government. My lords, I am now to take my leave of your lordships, and of this honourable house, perhaps forever! I shall lay down my life with pleasure, in a cause favoured by my late dear royal mistress. And, when I consider, that I am to be judged by the justice, honour,

1715.

He is committed to custody.

‘ and virtue of my peers, I shall acquiesce, and retire with great content. And, my lords, God’s will be done.’

Before the question for committing him was put, the duke of Shrewsbury acquainted the house, that the earl was at present very much indisposed with the gravel; and therefore he hoped they would not immediately send him to the tower, but suffer him to be two or three days in custody of the black rod, at his own house; which met with no opposition.

When the earl of Oxford went home, he was attended by a mob, that cried out, ‘ High-church, Ormond and Oxford for ever.’ However of twenty bishops, who were in the house that day, six only were for him (e).

July 12.

The earl of Oxford being brought the next day to the bar of the house, and having received a copy of the articles, he represented, ‘ That the ablest men in the nation had been many weeks in drawing up those long articles against him; and therefore he hoped the house would allow him a proportionable time to answer them.’ He took that occasion, ‘ to thank them for their great humanity in not sending him to the tower, and, as he still laboured under the same indisposition, he humbly desired them to permit him to continue some few days more at his own house, under the custody of the black rod.’ The earl being withdrawn, the lords resolved to allow him a month to answer the articles of impeachment; and Dr Mead one of his physicians being consulted, and having made a kind of affidavit, ‘ That, if the earl were sent to the tower, his life would be in danger;’ a motion was made, ‘ That he might continue in his house till the Monday following.’ But this was opposed, and after a warm debate it was carried by eighty-one against fifty-five, that he should be sent to the tower on Saturday the 16th of July.

During the course of this debate, the earl of Anglesey having said, ‘ That it was to be feared, these violent measures would make the sceptre shake in the king’s hands;’ most of the lords were offended at this suggestion, and some

(e) Sir William Dawes, archbishop of York,

Dr John Robinson, bishop of London,

Dr Francis Atterbury, bishop of Rochester,

Dr George Smalridge, bishop of Bristol,

Dr Francis Gastrel, bishop of Chester,

Dr Nathaniel Crew, bishop of Durham.

cried,

1715.

cried, to the Tower, and others only to order. The earl of Sutherland standing up said, 'He trembled with indignation to hear such words pronounced in that noble assembly. That, if they had been spoke any where else, he would call the person, that spoke them, to an account. But all he could do there was to move, that he might explain himself.' The earl of Sutherland was seconded by the duke of Roxburgh, who, among other things, said, 'That the sceptre was so well riveted in the king's hands, that, instead of shaking, it would crush all his majesty's enemies.' Upon these, and some other speeches, the earl of Anglesey said, 'It was but too manifest by the riots, that were daily committed in several parts of the kingdom, that the nation in general was against these impeachments: for his own part, he was so far from approving those tumultuous assemblies, and disorders, that he rather wished a stop might be put to them by exemplary punishments. He had, on several occasions, given sufficient proofs of his zeal and affection for the revolution and the protestant succession. What he had now advanced, was the result of the same zeal for the peace and prosperity of his majesty's reign. However, if he had been so unhappy, as by any unguarded or passionate expression to give offence to that august assembly, he was very sorry for it.' Notwithstanding this apology, some members were inclined to have him sent to the Tower; but, the very words, he had spoken, not having been taken down in writing, his explanation was admitted. It is observable, that on this occasion, besides the six bishops, before mentioned, those of Bath and Wells, and St David's voted for the earl of Oxford; and that the earl was by many blamed for putting off his going to the Tower; which, they said, did not correspond with that firmness he had hitherto shewn. It is certain, as he came in his own coach to the house of lords, he might with as much ease have been carried to the Tower, either by water, or in a sedan, and have had there the same attendance of his friends and physicians. The house having met on Friday, the 15th of July, they adjourned to the Monday following, to avoid, as it was generally surmised, any fresh motion, which the earl of Oxford's friends might make for deferring his being sent to the Tower, where he was carried by the black-rod on the day appointed about eight o'clock in the evening in his chariot, attended by two hackney-coaches, in which were his lady, his son the lord Harley,

The earl of
Oxford carried to the
Tower.
July 16.

1715.

and some other of the earl's relations and servants. Though these three coaches went from his house near St James's-palace up St James's-street, and then through Piccadilly, Gerard-street, Monmouth-street, and Holbourn, with design to avoid a crowd, yet were they attended by a great many of the common people, whose numbers being much increased in their return from the Tower, they raised a tumult in the streets, with their cry of high-church, Ormond, and Oxford for ever, upon which three or four of the mutineers were by the constables carried to the round-house.

Address of
the com-
mons about
tumults.
Pr. H. C.

These riots and tumults were not confined to London, but were spread through the kingdom. The day before the earl of Oxford was sent to the Tower, the house of commons received information of their tumultuous proceedings in Staffordshire, where several meeting-houses had been pulled down by the mob. Upon this the commons unanimously resolved to address the king, that the laws might be put in a speedy and most vigorous execution against the rioters, and an account be taken of such justices, as failed in the discharge of their duty; and that the sufferers, by these riots, may have a full compensation for their damages, which they would enable his majesty to make good, out of the next aids granted by parliament. The king, in his answer, promised an immediate compliance with their request, and hoped by their seasonable assistance, to suppress the spirit of rebellion, and establish peace and prosperity.

The procla-
mation-act
passed.
July 20.

For the more effectual prevention of riots, the king came to the house of peers on the 20th of July, and, among others, gave the royal assent to the proclamation-act, as it is commonly called, by which act, if any persons, to the number of twelve, being unlawfully assembled, to the disturbance of the peace, and being required by a justice of peace or other officer, by proclamation in the king's name, to disperse themselves, shall riotously continue together one hour after the proclamation, it shall be felony without benefit of the clergy(f). After passing this and

(f) The proclamation must be in these words:

Our sovereign lord the king chargeth and commandeth all persons, being assembled, im-

mediately to disperse themselves, and peaceably depart to their habitations, or to their lawful business, upon the pains contained in the act made in the first year

and the rest of the acts, the chancellor read the following speech, delivered into his hands by the king :

1715.

My lords and gentlemen,

"THE zeal you have shewn for preserving the peace of my kingdoms, and your wisdom in providing so good a law to prevent all riotous and tumultuous proceedings, give me great satisfaction. But I am sorry to find, that such a spirit of rebellion has discovered itself as leaves no room to doubt, but these disorders are set on foot and encouraged by persons disaffected to my government, in expectation of being supported from abroad.

The king's
speech to
both houses.
Pr. H. C.

"The preservation of our excellent constitution, and the security of our holy religion, has been, and always shall be, my chief care; and I cannot question but your concern for these invaluable blessings is so great, as not to let them be exposed to such attempts, as I have certain advice are preparing by the pretender from abroad, and carrying on at home by a restless party in his favour.

Gentlemen of the house of commons,

"In these circumstances I think it proper to ask your assistance, and make no doubt but you will so far consult your own security, as not to leave the nation under a rebellion actually begun at home, and threatened with an invasion from abroad, in a defenceless condition. And I shall look upon the provision you shall make for the safety of my people, as the best mark of your affection to me."

The king, as appears by this speech, had received some intelligence of the rebellion forming against him. Though

year of king George, for preventing tumults and riotous assemblies.

This act is to be read at every sessions and leet.

Other acts passed at this time were: 1. For continuing the imprisonment of the conspira-

tors against king William. 2. For the quakers affirmation instead of their oath. 3. An act for regulating the forces. 4. The malt-tax. Lastly, An act to explain the act of 12 Will. III. for the further limitation of the crown, &c.

the

1715. the disaffected in England vented their fury in riots, and tumults, in breaking windows, and demolishing meeting-houses, the case was very different in Scotland, where the designs of the jacobites were carried on with more secrecy and order, and very probably would have succeeded, had they been supported by their friends in England, as will hereafter appear.

The commons in their address of thanks assure the king, that they will, with their lives and fortunes, stand by and support him against all his open and secret enemies; and desire him immediately to give directions for fitting out such a number of ships, as may effectually guard the coasts, and to issue out commissions for augmenting his forces by land; promising, without loss of time, effectually to enable him to raise and maintain such a number of forces, both by sea and land, as shall be necessary for the defence of his sacred person, and for the security of his kingdoms (g).

Addresses
from the
lords and
convocation.

An address with the offer of their lives and fortunes was also presented by the lords. The same day the convocation waited on the king with an address, wherein, having thanked him for his message to the commons, about the maintenance for the ministers of the fifty new churches, they proceed: 'After all the declarations your majesty has been pleased to make in favour of our established church, and the real proofs you have given for the concern of its interest; we hope, that none will be found so unjust, as to doubt of your affection to it. And we do most humbly assure your majesty, that we will take all opportunities to instil into those, who are under our care, the same grateful sense, that we ourselves have of your majesty's goodness; and that at this time more especially, when the quiet of your realms is disturbed by insurrections at home, and the nation threatened with an invasion from abroad, we will put them in mind of those strict obligations of conscience, whereby they are engaged to defend and sup-

(g) When the motion was made for this address, the lord Guernsey, eldest son of the earl of Aylesbury, said, 'It was well known he had, on several occasions, differed from some members in that house; but being now convinced, that our liberty, religion, and all that is dear to Englishmen, were aimed at, he would (laying his hand on his sword) rather die with his sword in his hand, than survive the pretender's coming in, tho' he were to enjoy the greatest honours and preferments under him.'

1715.

port your majesty's government ; and will earnestly exhort them to exemplify, by a suitable practice, those principles of obedience and loyalty, which the church of England has always thought it her duty to profess.' All these addresses met with a very gracious reception.

The parliament passed an act to empower the king to secure suspected persons, and to suspend the Habeas Corpus act in that time of danger. A clause was added to a money-bill for the reward of 100,000 l. to such as should seize the pretender dead or alive. Upon a motion of Mr Walpole, the commons ordered an address for giving full pay to such half-pay officers as were not provided for. Sir George Byng set out for the Downs to take upon him the command of the fleet, and general Erle went to his government of Portsmouth to put that place in a posture of defence. General Cadogan marked out a camp in Hyde-park for the foot-guards. Lord Irwin was made a governor of Hull, in the room of brigadier Sutton, who with the generals Ross, Webb, and Stewart, the lord Windsor, colonel Descanay, and other officers, were either dismissed the service or ordered to sell.

Precautions
against the
rebellion.

Pursuant to the commons address, the king ordered thirteen regiments of dragoons, consisting of three thousand men, and eight of foot, consisting of four thousand, to be raised. He left the nomination of the officers to the dukes of Marlborough and Argyle, and the generals Stanhope and Cadogan (h). The trained-bands were also ordered to be in a readiness to suppress riots and tumults. Upon this, the several bodies concerned in these orders came to the court with addresses, expressing their abhorrence of all seditious and tumultuous assemblies, and their resolution to do their duty in preserving the publick peace, and to stand by

Twenty-one
regiments
raised.

(h) The thirteen colonels of the dragoons were :

Wynne,
Pepper,
Gore,
Honeywood,
Bowles,
Munden,
Dormer,
Newton,
Churchill,
Tyrrel,
Rich,

Molesworth,
Stanhope.

The eight colonels of the foot were :

Stanwix,
Hotham,
Grant,
Dubourgay,
Pocock,
Lucas,
Chudley,
Handasyde.

and

1715.

and assist his majesty with their persons and estates. These addresses were from the common-council of the city of London (i), from the lieutenancy of the same city, and from the earl of Clare, who was lord lieutenant of the county of Middlesex, with the deputy-lieutenants and justices of the peace. These were followed by several others, particularly from the bishop of London and his clergy; the university of Cambridge, the dissenting ministers of London and Westminster, the commission of the general assembly of the kirk of Scotland, and the university of Oxford; but the members of that university, when they presented their address, were told, 'That, as they had shewn an open
' disrespect to his majesty's person and government in their
' late conduct, his majesty expected they should satisfy him
' better of their loyalty by their future behaviour, before
' they attempted it by words.' Nor was it a small part of the reason of the publick displeasure, and of the repulse, which the university of Oxford met with on that occasion, that, at the very time it was to be presented, an account came to court by express, that some of the king's officers, who were beating up for volunteers for a new regiment of dragoons, were attacked by some of the scholars, and hardly escaped being killed.

Additional
articles a-
gainst the
lord Oxford,
July 30.
The lord Bo-
lingbroke
impeached.
Aug. 4.
Debate on
the articles
against the
duke of Or-
mond.
Aug. 5.

Whilst these things passed, the commons added six articles more against the earl of Oxford; and, two days after, the articles of impeachment against the lord Bolingbroke were agreed to, and delivered by Mr Walpole at the bar of the house of lords, where he impeached him. The next day, the articles against the duke of Ormond being read, there arose a warm debate, in which several remarkable speeches were made. Among the rest, a member of a considerable estate, and who had all along voted with the tories, said, 'That the report of the committee of secrecy had be-
' gun to open his eyes; and that the duke of Ormond's
' flight had fully convinced him, that the heads of the tory
' party were a set of knaves and villains, who designed to
' have ruined their country, and made it a province to
' France.' The lord Stanhope, the eldest son of the earl of Chesterfield, who spoke for the first time on this occasion, said, 'He never wished to spill the blood of any of

(i) The common council in 'courage'd by persons of anti-
their address tell the king, 'monarchical and republican
' They fear the intended inva- 'principles.'
' sion has been too much en-

' his

1715.

his countrymen, much less of any nobleman; but that he was persuaded, that the safety of his country required, that examples should be made of those, who betrayed it in so infamous a manner.' The lord Finch, eldest son of the earl of Nottingham, spoke also on the same side; and, after some other speeches, the first article was agreed to by a majority of a hundred and seventy-seven voices against seventy-eight; and then the other articles also were severally agreed to by the house. The first article charged the duke with corresponding with marshal Villars, the French general, while he commanded the British army in Flanders. The second, that he wickedly promised and engaged, that he would not attack the French army, nor engage in any siege against France. The third, that he did falsely, maliciously, wickedly, and traiterously adhere to the French king; and, in pursuance of a wicked promise he had secretly made with the marshal de Villars, he endeavoured to persuade the generals of the confederate army to raise the siege of Quesnoy; and, when he could not prevail, marched off with the queen's troops, and gave the enemy's general advice of it. The other articles are in effect his conduct in Flanders reduced into a charge. And, both he and the lord Bolingbroke having fled from justice, bills were brought in to summon them to render themselves by the 10th of September, and, in default thereof, to attain them of high-treason; which passed both houses, and received the royal assent.

On the 8th of August, the house of commons was called over, and among several absent members, who were not excused, Sir Michael Wharton, Mr Corbet Kynaston, and Mr Lewis Pryse were ordered into custody. The two former were immediately discharged; but Mr Pryse declining to take the oaths, and having never attended the house, for that and other reasons, and being not found by the messengers, was afterwards expelled.

On the 31st of August the articles against the earl of Strafford were agreed to by the commons, and carried by Mr Aislaby to the lords. The articles being read in the house of lords, the earl of Strafford made a long speech, wherein, among other things, he complained of the hardships which had been put upon him by seizing his papers in an unprecedented manner: that he designed to have drawn up and printed an account of all his negotiations; whereby he did not doubt he should have made it appear to all the world, that he had done nothing but in discharge of his duty,

Articles against the earl of Strafford.

1715.

duty, and of the trust reposed in him. That if, either in his letters or discourses, while he had the honour to represent the crown of Great-Britain, he had dropped any unguarded expressions against some foreign ministers, he hoped the same would not be accounted a crime by a British house of peers. He concluded with desiring, that a competent time might be allowed him to answer the articles now brought against him; and that he might have duplicates of all the papers, that either had been laid before the committee of secrecy, or were still in the hands of the government, which might be for his justification. The lord Townshend said, 'That his complaint about the taking his papers from him was altogether groundless and unjust: that infinite instances of the like proceedings might be produced: that no state could be safe without it; and, in short, that extraordinary cases justify extraordinary methods.' As to the earl's demand to have duplicates of all the papers, that had been laid before the commons, he (the lord Townshend) 'thought it unreasonable, and made with no other design than to gain time, and make the commons lose the opportunity of bringing him to his trial. That those papers were so voluminous (consisting of thirteen or fourteen volumes in folio) that they could not be copied out in many weeks; and as the earl might have had access to them, ever since they were laid before the parliament, so he was still at liberty to peruse them, and extract out of them what he thought proper for his own defence.' The duke of Devonshire and the lord-chancellor Cowper seconded the lord Townshend; on the other hand, the late lord-chancellor Harcourt and the bishop of Rochester spoke for the earl of Strafford; but what availed the latter most, was said by the earl of Ilay, who represented, 'That, in all civilized nations, all courts of judicature, except the inquisition, allowed the persons arraigned all that was necessary for their justification; and that the house of peers of Great-Britain ought not, in this case, to do any thing contrary to that honour and equity, for which they are so justly renowned throughout all Europe.' Upon this it was resolved, 'That the earl of Strafford should have copies of all such papers as were in the secretary's and other offices, which he should think proper for his defence: that he should have free access to the papers, that had been laid before the commons: and that a

month's

month's time be allowed him, to answer the articles of impeachment against him.' 1715.

On the 3d of September the earl of Oxford caused his answer to the commons impeachment to be delivered to the House of lords, who transmitted it to the commons, where it occasioned a small debate. Mr Walpole, among other things, said, 'He had not yet had time to examine that answer; but he now heard it read with a great deal of attention, and, in his opinion, it contained little more than what had been suggested in vindication of the late measures, in a pamphlet intitled, The conduct of the allies, and repeated over and over in the papers called the Examiner. That the main drift of this answer seemed to prove these two assertions: First, that the earl of Oxford had no share in the advising and managing the matters mentioned in the articles against him; but that the late queen did every thing: and, secondly, that the late queen was a wise, good, and pious princess. That, if the second proposition were not better grounded than the first, the reputation of that excellent princess would be very precarious; but as every body must own her to have been a good and pious queen; so it was notorious, that the earl of Oxford, as prime minister, was the chief adviser, promoter, and manager of the matters charged upon him in the articles. And therefore his answer was a false and malicious libel, laying upon his royal mistress the blame of all the pernicious measures he had led her into, against her own honour, and the good of his country. That he hoped the earl's endeavouring to screen himself behind the queen's name would avail him nothing: that it is indeed a fundamental maxim of our constitution, 'That kings can do no wrong;' but, at the same time, it is no less certain, That ministers of state are accountable for their actions; otherwise a parliament would be but an empty name; the commons would have no business in that place; and the government would be absolute and arbitrary. That though the earl had the assurance to aver, that he had no share in the management of affairs, that were transacted, while he was at the helm, yet he pretended to justify the late measures. And therefore, in that respect, his answer ought to be looked upon as a libel on the proceedings of the commons, since he endeavoured to clear those persons, who had already confessed their guilt by flight.'

Mr

Debate on
the earl of
Oxford's an-
swer.
Pr. H. C.

1715.

Mr Shippen, a creature of the earl of Oxford, said, 'It would not become him to defend the earl's answer, since, as a member of that honourable assembly, he was become one of his accusers; but he could not forbear wishing, this prosecution might be dropped, and that the house would be satisfied with the two late acts of attainder. That this wish of his was the stronger, because one of the principal reasons, that induced the commons to impeach the earl of Oxford, subsisted no longer, the affairs of Europe having received a sudden turn from the death of the French king, whereby the renunciation of king Philip began to take place in the advancement of the duke of Orleans to the absolute regency of France.'

Mr Aislaby answered, 'He hoped it was to little purpose, that the gentleman, who spoke last, endeavoured to move the pity and compassion of the house, and persuade them to drop this prosecution. That this was not a proper time to examine and reply to the earl of Oxford's answer; and therefore he would content himself with saying in general, that it was a contexture of the shifts, evasions, and false representations contained in the three parts of the history of the white staff. As to what had been suggested concerning the event, which seemed to have strengthened the renunciation, he did not deny, there might be something in it, which was manifest from the great joy the well-affected to the government had shewn on this occasion, and from the mortification and despair, that appeared in the faces of a certain party. But, after all, it could not yet be ascertained, that the renunciation was in force: that there was a vast difference between the regency and the crown; that time only could decide that matter; but even supposing, that, by the concurrence of unforeseen events, king Philip's renunciation should at last take place, yet the same would not justify the ministers, who proposed and laid it as the foundation of the late peace, since they, with whom they treated, were so frank and so sincere as to tell them, that it could never be valid by the fundamental laws of France.'

After some other speeches, it was ordered, 1. That the answer of Robert earl of Oxford be referred to the committee appointed to draw up articles of impeachment, and prepare evidence against the impeached lords. 2. That the committee prepare a replication to the answer. Accordingly a replication was prepared, and being agreed to was sent to the lords.

The

1715.

Report about
Mr Prior.
Sept. 20.

The next day, a report from the same committee, concerning the state and circumstances of Mr Prior's commitment, was made to the house in the following manner:

‘ That, in the perusal and examination of the several books and papers referred to the committee of secrecy, Mr Prior appeared, through the whole progress of the separate and pernicious negotiations, carried on between the ministers of Great-Britain and France, to have been principally concerned as an agent and instrument of those evil and traiterous counsellors, some of which are already attainted, and others stand impeached of high-treason, and other high crimes and misdemeanors: and the committee conceiving there were matters contained in the first general report, from which crimes of a very high nature ought to be justly charged and imputed to Mr Prior, whenever the house should think proper to enter into that consideration; as likewise that Mr Prior was able to give great lights into all those dark and secret transactions, when he should be called upon by the great council of the nation, or any committee appointed by them, to give an account of the negotiations, in which he was concerned as a publick minister; the house, upon a motion from the committee for that purpose, was pleased to order, before the report was made, that Mr Prior should be taken into custody of the serjeant at arms, to prevent his making his escape, upon notice of what was contained in the report.

‘ That this method of confining Mr Prior is not only agreeable to former precedents upon the like occasions, but necessary and essential to that great duty and privilege of the house of commons, of redressing grievances, and bringing great offenders to justice.

‘ That the committee did, some time after, pursuant to the powers given them by the house, proceed to examine Mr Prior concerning several matters, of which there can be no doubt but he was fully apprized and acquainted with; in which examination Mr Prior did behave himself with such contempt of the authority of parliament, and prevaricate in so gross a manner, as most justly to deserve the highest displeasure of the house.

‘ But finding at last, after an examination of several hours, that it was impossible for him to disguise or conceal

1715.

' ceal some facts, that were before the committee, he
' was induced to declare upon oath some truths, which will
' be very material evidence upon the trials of the im-
' peached lords.

' And the committee having notice, that Mr Prior
' had, during his first confinement, met and conferred with
' the earl of Oxford, and his nearest relations and depen-
' dants, which Mr Prior confessed to be true, thought it
' their duty to move the house, that Mr Prior might be
' committed to closer custody.

' From this short state of the proceedings relating to
' Mr Prior, the committee submits it to the wisdom of
' the house, Whether his behaviour has so far merited the
' favour and mercy of the house, as to make that con-
' finement more easy to him, which his contempt of the
' commons of Great-Britain, and his notorious prevarica-
' tion, most justly brought him into. And it seems wor-
' thy of consideration, how far it may be thought ad-
' viseable for the house of commons to set at liberty a
' person in their custody, and committed according to the
' antient methods and practice of parliament; who is a
' material evidence against high offenders, under profe-
' cution of the commons of Great-Britain, and who,
' there is reason to apprehend, would immediately with-
' draw himself, and, as far as in him lay, defeat the justice
' of the nation.'

After the reading of this report, the commons ordered,
' That the committee be empowered to sit, notwithstand-
' ing any adjournment of the house.'

The names
and coats of
arms of the
lord Boling-
broke and
duke of Or-
mond razed.

The time for the duke of Ormond and the lord vis-
count Bolingbroke to render themselves being expired,
the house of lords ordered the earl marshal to raze out
of the list of peers their names and coats of arms. In-
ventories were likewise directed to be taken of their per-
sonal estates; and the atchievment of the duke, as knight
of the garter, to be taken down from St George's chapel at
Windfor.

An act pas-
sed to encour-
age loyalty
in Scotland.

On the 30th of August, an act received the royal as-
sent, for encouraging loyalty in Scotland. By this act
every vassal that holds lands of any superior guilty of
high-treason, by abetting the pretender, and continues
peaceable, shall be invested with the said lands in fee and
heritage for ever. In like manner, if any subject of Great-
Britain, holding lands of a superior in Scotland, shall be
guilty of such high-treason, his lands shall return into the

the hands of the superior, and be consolidated with the superiority. All entails and settlements of estates, since the 1st of August, 1714, in favour of children, with a fraudulent intent to avoid the punishment of the law due to the offence of high-treason, by abetting the pretender, shall be null and void. Besides these, and other particulars, this act had a clause in it, for summoning any suspected person in Scotland to appear at Edinburgh, or where it should be judged expedient, to find bail for his good behaviour, with certification, that, if they did not appear at the time appointed, they would be denounced rebels. Pursuant to this clause, all the heads of the jacobite clans, and other suspected persons, were soon after summoned to appear at Edinburgh, and not obeying the summons, they were declared rebels.



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T H E
H I S T O R Y
O F
E N G L A N D.

BOOK XXX. PART II.
From the Year 1715. to the Year 1716.

C H A P. II.

The rebellion in Scotland breaks out.—The duke of Argyle sets out for Scotland.—A conspiracy in England.—Six members order'd to be arrested.—Parliament adjourn'd.—Insurrections.—The heads of the disaffected summoned to Edinburgh.—Progress of the earl of Mar.—James Murray comes over as secretary to the pretender.—Mar's letter to the earl of Broadalbine.—Dutch troops sent for.—Associations.—Proceedings of the rebels.—Of the king's forces.—Of the battle of Preston.—Battle of Dunblain.—A remarkable incident.—Inverness taken.

30. G E O R G E I.

BY this time the court had received certain information, that an open rebellion was broke out in Scotland, under the direction of the earl of Mar, which was to be supported by a great conspiracy in England. The earl of Mar, at the death of queen Anne, was secretary of state for Scotland, and had been one of the first

The rebellion in Scotland breaks out,

who

1715. who made professions of their loyalty and affection to king George, as appears by a letter he wrote the king before his arrival (k.) The earl had also taken the oaths of allegiance and abjuration. But, not meeting the encouragement he expected,

(k) The earl of Mar's letter was as follows:

S I R,

‘ Having the happiness to be
‘ your majesty’s subject, and
‘ also the honour of being one
‘ of your servants, as one of
‘ your secretaries of state, I beg
‘ by this to kiss your majesty’s
‘ hand, and congratulate your
‘ happy accession to the throne;
‘ which I would have done my-
‘ self the honour of doing soon-
‘ er, had I not hoped to have
‘ had the honour of doing it
‘ personally ere now. I am
‘ afraid I may have had the
‘ misfortune of being misrepre-
‘ sented to your majesty: and
‘ my reason for thinking so is,
‘ because I was, I believe, the
‘ only one of the late queen’s
‘ servants, whom your minis-
‘ ters did not visit, which I
‘ mentioned to Mr Harley,
‘ and the earl of Clarendon,
‘ when they went from hence
‘ to wait on your majesty: and
‘ your ministers carrying so to
‘ me, was the occasion of my
‘ receiving such orders, as de-
‘ prived me of the honour and
‘ satisfaction of waiting on
‘ them, and being known to
‘ them. I suppose, I had been
‘ misrepresented to them by
‘ some here upon account of
‘ party, or to ingratiate them-
‘ selves by aspersing others, as
‘ our parties here too often oc-
‘ casion; but I hope your ma-

‘ jesty will be so just, as not to
‘ give credit to such misrepre-
‘ sentations. The part I acted
‘ in the bringing about and
‘ making the union, when the
‘ succession of the crown was
‘ settled for Scotland on your
‘ majesty’s family, where I had
‘ the honour to serve as secre-
‘ tary of state for that kingdom,
‘ doth, I hope, put my sincerity
‘ and faithfulness to your ma-
‘ jesty out of dispute. My fa-
‘ mily had had the honour,
‘ for a great trask of years, to
‘ be faithful servants to the
‘ crown, and have had the care
‘ of the king’s children (when
‘ kings of Scotland) intrusted to
‘ them. A predecessor of mine
‘ was honoured with the care of
‘ your majesty’s grandmother,
‘ when young, and she was
‘ pleased afterwards to express
‘ some concern for our family in
‘ letters, which I still have un-
‘ der her own hand. I have
‘ had the honour to serve her
‘ late majesty, in one capacity
‘ or other, ever since her ac-
‘ cession to the crown. I was
‘ happy in a good mistress, and
‘ she was pleased to have some
‘ confidence in me, and regard
‘ for my services. And since
‘ your majesty’s happy acces-
‘ sion to the crown, I hope,
‘ you will find, that I have not
‘ been wanting in my duty, in
‘ being instrumental in keeping
‘ things quiet and peaceable in
‘ the country, to which I be-
‘ long, and have some interest

in.

1715.

The earl of
Mar sets out
for Scotland.

expected, the earl, about the 8th of August 1715, embarked with major general Hamilton, colonel Hay, and two servants, at Gravesend, on board a collier, and, arriving at Newcastle, hired a vessel belonging to one Spence of Leith, which in eight days landed them at Elie in Fife. They immediately went to the house of John Bethune of Balfour, where they staid all night, and from thence rode to the lord Kinnoul's. The next day they proceeded to Craigie-hall; and colonel Hay conveyed the earl of Mar about three miles, and went to the lord Nairn's; and the earl and general Hamilton proceeded to the laird of Invercald's at the brae of Mar. Colonel Hay, the lord John Drummond, the marquis of Tullibardine, Strowen Robertson, and several other highland gentlemen, and particularly the lairds of Glenbucket, Glenderule, Abergeldy, Dalmere, Auchindrain, and John Patterson, who had been a clerk in the secretary's office, came to the earl of Mar; who, having staid at Invercald's house about eight days, went to Glenbucket's, and from thence to Aboyne, where he held a consultation with the marquises of Huntley and Tullibardine, the earls of Sothesk and Mareschal, the lairds of Glenderule, Glengary, Glenbucket, tutor of Aboyne, general Hamilton, and general Gordon; but Invercald and Abergeldy, who were at Aboyne, were not admitted to the consultation. The earl of Mar, the marquis of Tullibardine, general Hamilton, and Mr Patterson returned to Invercald, where they staid about eight days; during which the earl sent several letters, and received others; and in that time there were gathered

' in. Your majesty shall ever
' find me as faithful and dutiful
' a subject and servant, as ever
' any of my family have been
' to the crown, or as I have
' been to my late mistress, the
' queen. And I beg your ma-
' jesty may be so good not to
' believe any misrepresentation
' of me, which nothing but
' party hatred, and my zeal for
' the interest of the crown doth
' occasion; and I hope I may
' presume to lay claim to your
' royal favour and protection.
' As your accession to the crown
' hath been quiet and peace-

' able, may your majesty's
' reign be long and prosperous,
' and that your people may
' soon have the happiness and
' satisfaction of your presence
' among them, is the earnest
' and fervent wishes of him,
' who is, with the humblest
' duty and respect,

' S I R,

' Your majesty's most faithful,

' Most dutiful, and most obedient,

' Subject and servant.

' Whitehall, Aug.

' 30, 1714.

M A R.

1715. together about five hundred of his own men, three hundred of whom, being well-armed, went to Castletoun with him and general Hamilton; and Innerey (who came to Invercald the day before) and the remaining two hundred went away, till they should be provided with better arms, and then were to follow under the command of Innerey. At Castletoun they proclaimed the pretender; whose standard was set up by the earl of Mar at Brae-Mar, on the 6th of September.

The pretender's standard set up, Sept. 6.

Several persons taken. Com. hist. of the republ. Patten.

Upon the news of the earl's being in the highlands, and the report of his having drawn together a body of men, orders were immediately dispatched to Edinburgh, for apprehending several suspected persons; pursuant to which, the earls of Hume, Wigtoun, and Kinnoul, and the lord Desford, Mr Lochart of Carnwath, and Mr Hume of Whitefield, were committed prisoners to the castle. Orders were also sent to major-general Whetham, commander in chief in Scotland, forthwith to march with all the regular troops, that could be spared, to form a camp near Sterling, to secure the bridge over the Forth, and to quarter the half-pay officers in such a manner, that they might be in a readiness to command the militia. About this time, the court received intelligence of several vessels ready to sail for Scotland from the port of Havre de Grace, laden with arms and ammunition for the use of the pretender: and, notwithstanding all the precautions used by the government, on the 29th of August, the lord justice clerk had advice from Montrose, that one of those ships was arrived at Arboth in the north, where she was immediately unladen by the highlanders, sent thither for that purpose, who carried the arms and ammunition to the country of Brae-Mar. A few day after, another ship landed several officers, who went to join the earl of Mar, and gave him, and the lords with him, assurances, that the pretender would soon be in person amongst them. But the news of the death of Lewis XIV. of France, on the first of September, N. S. so alarmed the rebels, and struck such a general damp upon their spirits, that their chiefs held a consultation, whether they should stand out any longer, in expectation of the pretender's coming according to his promise, or whether they should give over their enterprize. They divided upon the question; some were for going home, and not stirring till the pretender landed; but the majority, depending upon a general insurrection in England were for persisting, at least, till they had news from the pretender; to whom they all agreed to

send

send messengers immediately, to press his coming over. 1715. Pursuant to this resolution, the earl of Mar assumed the title of lieutenant-general of the pretender's forces, and as such published a declaration, which he sent with a letter, to the baillie of Kildrummie, to exhort the people to take arms (1). A few days after, a manifesto was also published,

(1) The declaration ran thus :

'Our rightful and natural king James VIII. by the grace of God, who is now coming to relieve us from our oppressions, having been pleased to intrust me with the direction of his affairs, and the command of his forces in this his antient kingdom of Scotland; and some of his faithful subjects and servants met at Aboyne, viz. The lord Huntley; the lord Tullibardine, the earl Marishal, the earl of Southesk, Glengary from the clans, Glanderule from the earl of Broadalbin, and gentlemen of Argyleshire, Mr Patrick Lyon of Auchterhouse, the laird of Auld-bair, lieutenant-general George Hamilton, major-general Gordon, and myself, having taken into our consideration his majesty's last and late orders to us, that as this is now the time, that he ordered us to appear openly in arms for him; so it seems to us absolutely necessary for his majesty's service, and the relieving of our native country from all its hardships, that all his faithful and loving subjects, and lovers of their country, should, with all possible speed, put themselves into arms.

'These are therefore, in his majesty's name and authority, and by virtue of the power aforesaid, and by the king's special order to me thereunto, to require and impower you forthwith to raise your fencible men, with their best arms; and you are immediately to march them to join me, and some other of the king's forces at the Inver of Brae-Mar, on Monday next, in order to proceed in our march to attend the king's standard, with his other forces.

'The king intending, that his forces shall be paid from the time of their setting out, he expects, as he positively orders, that they behave themselves civilly, and commit no plundering, nor other disorders, upon the highest penalties, and his displeasure; which it is expected you will see observed.

'Now is the time for all good men to shew their zeal for his majesty's service, whose cause is so deeply concerned and the relief of our native country from oppression, and a foreign yoke too heavy for us and our posterity to bear; and to endeavour the restoring, not only of our rightful and native king, but also our country to its antient, free, and independent constitution under him; whose ancestors have

1715. ed, setting forth the reasons of their proceedings, the grievances

‘ have reigned over us for so
‘ many generations.

‘ In so honourable, good,
‘ and just a cause, we cannot
‘ doubt of the assistance, direc-
‘ tion, and blessing of almighty
‘ God, who has so often re-
‘ scued the royal family of
‘ Stuart, and our country, from
‘ sinking under oppression.

‘ Your punctual observance
‘ of these orders is expected:
‘ for the doing of all which
‘ this shall be to you, and all
‘ you employ in the execution
‘ of them, a sufficient warrant.’
Given at Brae-Mar the 9th of
September 1715.

To the baillie and the
rest of the gentle-
men of the lordship
of Kildrummie.

M A R.

The earl’s letter to the baillie
was in these terms.

Invercald, Sept. 9. at
night, 1715.

Jockie,

‘ Ye was in the right not to
‘ come with the hundred men
‘ ye sent up to night, when I
‘ expected four times the num-
‘ ber. It is a pretty thing,
‘ when all the highlands of
‘ Scotland are now rising upon
‘ their king and country’s ac-
‘ count, as I have accounts from
‘ them since they were with me,
‘ and the gentlemen in most of
‘ our neighbouring lowlands ex-
‘ pecting us down to join them,
‘ that my men should be only
‘ refractory. Is not this the

‘ thing we are now about,
‘ which they have been wishing
‘ these six and twenty years?
‘ And now when it is come, and
‘ the king and country’s cause
‘ at stake, will they for ever sit
‘ still, and see all perish? I have
‘ used gentle means too long,
‘ and so I shall be forced to put
‘ other orders I have in executi-
‘ on. I have sent you inclosed
‘ an order for the lordship of
‘ Kildrummie, which you are
‘ immediately to intimate to all
‘ my vassals. If they give rea-
‘ dy obedience, it will make
‘ some amends; and if not, ye
‘ may tell them from me, that
‘ it will not be in my power to
‘ save them (were I willing)
‘ from being treated as enemies
‘ by those, who are ready soon
‘ to join me: and they may de-
‘ pend on it, that I will be the
‘ first to propose and order their
‘ being so. Particularly, let
‘ my own tenants in Kildrum-
‘ mie know, that, if they come
‘ not forth with their best arms,
‘ I will send a party-immediate-
‘ ly to burn what they shall
‘ miss taking from them: and
‘ they may believe this not only
‘ a threat, but by all that is sa-
‘ cred I will put it in execution,
‘ let my loss be what it will,
‘ that it may be an example to
‘ others. You are to tell the
‘ gentlemen, that I will expect
‘ them in their best accoutre-
‘ ments on horse-back, and no
‘ excuse to be accepted of. Go
‘ about this with all diligence,
‘ and come yourself, and let me
‘ know you having done so.
‘ All this is not only as you will
‘ be

ances the nation lay under, with assurances of redressing them (m).

1715.

Besides these measures, a conspiracy was formed at Edinburgh to surprize the castle on the 8th of September, between

Attempt
upon Edin-
burgh.

'be answerable to me, but to
'your king and country.'

Your assured friend and servant,

To John Forbes of
Increrau, baillie M A R.
of Kildrummie.

(m) 'Manifesto and declaration by the noblemen, gentlemen, and others, who dutifully appear at this time in asserting the undoubted right of their lawful sovereign James the VIIIth, by the grace of God, king of Scotland, England, France, and Ireland, defender of the faith, &c. and for relieving this his antient kingdom of Scotland from the oppression and grievances it lies under. His majesty's right of blood to the crown of these realms is undoubted, and has never been disputed nor arraigned by the least circumstance of authority whatsoever.

'By the laws of God, by the antient constitution of these nations, and by the positive unrepealed laws of the land, we are bound to pay his majesty the duty of faithful subjects. Nothing can absolve us from this our duty of subjection and obedience. The laws of God require our allegiance to our rightful king: the laws of the land secure our religion, and other interests, and his majesty giving up himself to

'the support of his protestant subjects, puts the means of securing to us our concerns religious and civil into our own hands.

'Our fundamental constitution has been intirely altered and sunk amidst the various shocks of unstable faction, which, in searching out new experiments pretended for our security, had produced nothing but daily disappointments, and has brought us and our posterity under a precarious dependence upon foreign counsels and interests, and the power of foreign troops.

'The late unhappy Union, which was brought about by the mistaken notions of some, and by the ruinous and selfish designs of others, has proved so far from lessening and healing the differences betwixt his majesty's subjects of Scotland and England, that it has widened and increased them; and appears by experience so inconsistent with the rights, interests, and privileges of us, and our good neighbours and fellow subjects of England, that the continuance of it must inevitably ruin us, and hurt them: nor can any way be found to relieve us, and restore our antient independent constitution, but by restoring our rightful and natural king, who has the only undoubted right to reign over us. Neither can we hope, that that party, who

1715. tween eleven and twelve at night; which, by the care and vigilance of Sir Adam Cockburn, the lord justice clerk, who had early notice of it, was prevented. The design was to mount the wall by the west-side of the castle, by

rope-

‘ who chiefly contributed to
 ‘ bring us into bondage, will at
 ‘ any time endeavour to work
 ‘ our relief, since it is known
 ‘ how strenuously they opposed
 ‘ in two late instances the ef-
 ‘ forts, that were made by all
 ‘ Scotsmen but themselves, and
 ‘ supported by the best and wis-
 ‘ est of the English, towards so
 ‘ desirable an end, as they will
 ‘ not adventure openly to dis-
 ‘ own a dissolution of the union
 ‘ to be.

‘ Our substance has been wast-
 ‘ ed in the late ruinous wars;
 ‘ and we see an unavoidable
 ‘ prospect of having wars con-
 ‘ tinued on us and our posterity,
 ‘ so long as the possession of
 ‘ the crown is not in the right
 ‘ line.

‘ The hereditary rights of
 ‘ the subjects, though confirmed
 ‘ by conventions and parlia-
 ‘ ments, are now treated as of
 ‘ no value nor force; and past
 ‘ services to the crown and
 ‘ royal family are now look-
 ‘ ed upon as grounds of suspi-
 ‘ cion.

‘ A packed assembly, who
 ‘ call themselves a British parli-
 ‘ ament, have, so far as in them
 ‘ lies, inhumanly murdered their
 ‘ own and our sovereign, by
 ‘ promising a great sum of mo-
 ‘ ney as the reward of so exe-
 ‘ crable a crime. They have
 ‘ proscribed, by unaccountable
 ‘ and groundless impeachments
 ‘ and attainders, the worthiest
 ‘ patriots of England; for their

‘ honourable and successful en-
 ‘ deavours to restore trade, plen-
 ‘ ty, and peace to these nations.
 ‘ They have broke in upon the
 ‘ sacred laws of both countries,
 ‘ by which the liberties of our
 ‘ persons were secured. They
 ‘ have impowered a foreign
 ‘ prince, (who, notwithstanding
 ‘ his expectations of the crown
 ‘ for fifteen years, is still unac-
 ‘ quainted with our manners,
 ‘ customs, and language) to
 ‘ make an absolute conquest if
 ‘ not timely prevented, of the
 ‘ three kingdoms, by investing
 ‘ him with an unlimited power,
 ‘ not only of raising unnecessa-
 ‘ ry forces at home, but also of
 ‘ calling in foreign troops, rea-
 ‘ dy to promote his uncontroll-
 ‘ able designs. Nor can we be
 ‘ very hopeful of its being
 ‘ otherwise, in the way it is in
 ‘ at present, for some genera-
 ‘ tions to come; and the con-
 ‘ sequences of these unexampled
 ‘ proceedings has been already
 ‘ so fatal to great numbers of
 ‘ our kinsmen, friends, and fel-
 ‘ low-subjects of both king-
 ‘ doms, that they have been
 ‘ constrained to abandon their
 ‘ country, houses, wives, and
 ‘ children, or to give themselves
 ‘ up prisoners, and perhaps, vic-
 ‘ tims to be sacrificed at the
 ‘ pleasure of foreigners, and a
 ‘ few hot-headed men of a rest-
 ‘ less faction, whom they em-
 ‘ ploy. Our troops abroad,
 ‘ notwithstanding their long and
 ‘ remarkable good services, have
 ‘ been

rope-ladders provided for that purpose, which were to be pulled up by lines let down from within by some soldiers belonging to the garrison, who had been corrupted. The conspirators came to the castle-wall at the time appointed; and

1715.

been treated since the peace with neglect and contempt; as particularly in Holland: and it is not now the officers long service, merit, and blood they have lost, but money and favour, by which they can obtain justice in their preferences.

So that it is evident, that the safety of his majesty's person and loyal subjects, the rights of his people, and independency of his kingdoms, calls loudly for immediate relief and defence.

The consideration of these unhappy circumstances, with the due regard we have to common justice, the peace and quiet of us and our posterity, our duty to his majesty and his commands, are the powerful motives, which have engaged us in our present undertaking; which we are firmly and heartily resolved to push to the utmost, and stand by one another to the last extremity, as the only solid and effectual means of putting an end to so dreadful a prospect, as by our present situation we have before our eyes, and with faithful hearts, true to our only rightful king, our country, and our neighbours. We earnestly beseech and expect (as his majesty commands) the assistance of all our true fellow-subjects to second these our just attempts, declaring

hereby our sincere intentions:

That we will promote and concur in all lawful means for settling a lasting peace to these lands under the auspicious government of our native-born rightful sovereign, the direction of our own domestick counsels, and the protection of our own native force and troops.

That we will in the same manner concur and endeavour to have our laws, liberties, and properties secured by free parliaments of both kingdoms.

That, by the wisdom of such parliaments, we will endeavour to have such laws enacted, as shall give an absolute security to us, and future ages, for the true protestant religion, against all efforts of arbitrary power, popery, and all its other enemies. Nor have we any reason to be distrustful of the goodness of God, the solidity of our holy religion, or the known excellency of his majesty's judgment, as not to hope, that in due time, good example and conversation with our learned divines, will remove these prejudices, which we know that his education in a popish country has not riveted in his royal discerning mind: and we are sure, that, as justice is a virtue of all religious professions, the doing of

1715.

and a rope was let down and fixed to one of the ladders. But, the lord justice clerk having sent intimation of this design to colonel Stuart, lieutenant-governor of the castle, he ordered the officers under him to double their guards, and to make diligent rounds. As lieutenant Lindsey was going the round in obedience to these orders, he found one of the soldiers, who had been corrupted, drawing up the ladder, in order to fix it to the top of the wall; and commanded the centinel next him to fire, which giving the alarm, the conspirators dispersed. But a party of the town guard, which, at the request of the lord justice clerk, the provost had sent out to patrol, with some resolute volunteers,

‘ of it to him will not lessen his
‘ good opinion of ours.

‘ That, as the king is willing
‘ to give his royal indemnity
‘ for all that is past, so we will
‘ chearfully concur in passing
‘ general acts of oblivion, that
‘ our fellow-subjects, who have
‘ been missed, may have a fair
‘ opportunity of living with us
‘ in the same friendly manner
‘ we design to live with them.

‘ That we will use our endeavours
‘ for redressing the bad
‘ usage of our troops abroad,
‘ and bringing the troops at
‘ home to be on the same foot
‘ and establishment of pay as
‘ those in England.

‘ The peace of these nations
‘ being thus settled, and we thus
‘ freed from foreign dangers,
‘ we will use our endeavours to
‘ have the army reduced to the
‘ usual number of guards and
‘ garrisons, and will concur in
‘ such laws and methods; as
‘ shall relieve us of the heavy
‘ taxes and debts now lying
‘ upon us, and, at the same
‘ time will support the publick
‘ credit in all its parts.

‘ And we hereby faithfully
‘ promise and engage, that every
‘ officer, who joins with us

‘ in our king and country’s
‘ cause, shall not only enjoy the
‘ same post he now does, but
‘ shall be advanced and preferred
‘ according to his rank and
‘ station, and the number of
‘ men he brings off with him to
‘ us: and each foot-soldier so
‘ joining us, shall have twenty
‘ shillings sterling gratuity, besides
‘ his pay; and each trooper
‘ or dragoon, who brings his
‘ horse and accoutrements along
‘ with him, the sum of twelve
‘ pounds sterling.

‘ And, in general, we will
‘ concur with all our fellow-subjects,
‘ in such measures, as shall
‘ make us flourish at home, and
‘ be formidable abroad, under
‘ our rightful sovereign, and the
‘ peaceable harmony of our
‘ ancient fundamental constitution,
‘ undisturbed by pretenders
‘ interests, counsels from abroad,
‘ or by restless factions at
‘ home.

‘ In so honourable, good, and
‘ just a cause, we doubt not of
‘ the assistance, direction, and
‘ blessing of almighty God, who
‘ has so often rescued the royal
‘ family of Stuart and our
‘ country from sinking under
‘ oppression.’

coming

coming up, found captain Maclean, formerly an officer under the lord Dundee, lying on the ground, bruised with a fall from the wall, whom they secured, with three others of his accomplices. They likewise found the ladders, and about a dozen of firelocks and carbines, which the conspirators had left behind. One serjeant, one corporal, and two private soldiers of the garrison were also secured; and, by the confessions of the persons seized, it appeared, that the numbers engaged in this attempt were about eighty, of whom one half were highlanders: that one Mr Arthur, formerly an ensign in the castle, engaged the soldiers in this conspiracy, by promising the serjeant a lieutenant's commission; the corporal an ensign's; and by giving one of the soldiers eight guineas, and the other four: that the lord Drummond was to be governor of the castle, as being the contriver of the design: and that, upon the success of it, the conspirators were to fire three rounds of the artillery in the castle; which, by the communication of fires to be kindled at convenient distances, was to be a signal to the earl of Mar, immediately to march towards Edinburgh with his forces, to improve the consternation, and heighten the terror, which such an accident would have caused in the city.

The duke of Argyle, being appointed commander in chief of the forces in Scotland, set out on the 9th of September for that kingdom; and, about the same time, the earl of Sutherland offered his service to go and raise the highland clans in the most northern counties of Scotland, which was readily accepted; and the Queenborough man of war was appointed to transport him thither. Several other Scots peers, particularly the duke of Roxburgh, the marquises of Annandale and Tweeddale, the earls of Selkirk Loudoun, Rothes, Haddington, and Forfar, the lords Torpichen and Belhaven, &c. readily embraced this opportunity to shew their loyalty to king George, and their zeal for their country.

By this time a dangerous conspiracy was discovered and prevented in England. On the 2d of September, lieutenant-colonel Paul, who had a company in the first regiment of foot-guards, was secured, and the next day committed prisoner to the Gate-house, being charged with inlisting men for the pretender's service, and other treasonable practices. The titular duke of Powis, a roman catholick, was committed to the Tower for high-treason; and the lords Lansdown and Duplin were also taken into custody; and a warrant

The duke of
Argyle sets
out for Scot-
land.

A conspiracy
in England
discovered.

1715.

warrant issued out to apprehend the earl of Jersey. At the same time, Mr secretary Stanhope acquainted the commons, ' That he was commanded by the king to communicate to them, that his majesty, having just cause to suspect, that Sir William Wyndham, Sir John Packington, Mr Edward Harvey, senr. of Combe, Mr Thomas Forster, Junr. Mr John Anstis, and Mr Corbet Kynaston, were engaged in a design to support the intended invasion of this kingdom, had given orders for apprehending them: and desired the consent of the house, to his causing them to be committed and detained, if he should judge it necessary so to do;' which was unanimously agreed to by an address to that purpose.

Six members
ordered to be
apprehended.

Upon this, warrants were issued out for apprehending the six members, two of whom, Harvey and Anstis, happening to be in town, were immediately secured. Mr Harvey stabbed himself some few days after with a knife, in two or three places of his breast; but the wounds proved not mortal. As to the rest, Mr Forster stood out in defiance of justice, and with two romish lords raised a rebellion in Northumberland. Sir John Packington was brought up to London from his house in Worcestershire, and being examined before the council, and nothing appearing against him, was honourably discharged. Mr Kynaston made his escape; and colonel Huske, a captain in the foot-guards, was sent down with a messenger to apprehend Sir William Wyndham, at his house in Somersetshire, where they arrived between four and five in the morning. The door being opened they appeared to be in haste to see Sir William; but the porter told them, he was in bed, and could not yet be spoke with. The colonel told him, he came express, and the person with him had a packet of letters of such consequence, that his master must needs be immediately informed of it. This convinced the man, and Sir William presently leaped out of bed, and came in his gown to the colonel, who told him, he was his prisoner, the messenger, at the same time, shewing the badge of his office. Sir William said, he readily submitted, but desired no noise might be made to frighten his lady, who was with child. Then they entered a chamber, where the colonel seeing Sir William's coat and waistcoat lie, told him, he had orders to seize all his papers; and that he must take leave to search his pockets, wherein he found a bundle of papers, which he secured. Sir William would have diverted him, by offering him very frankly the keys of his escutore, to

search

search : but the colonel happened to secure the most important papers, as he had reason to guess, by the great disorder and confusion in Sir William's looks, when he took the bundle out of his waistcoat pocket. Sir William desired the colonel to stay till seven o'clock, and he would order his own coach and six horses to be ready, which would carry them all ; telling the colonel, he would only go in, and put on his cloaths, and take leave of his lady, and then would wait on him. Out of deference to that lady's noble relations, who besides their high rank, had deserved it by their zeal and affection for the present government, the colonel had particular directions to use him with decorum, and readily complied with his request, looking on it as his parole to return : but he soon found himself mistaken in the person, whose honour he had trusted to ; for, tho' the colonel had caused two doors of Sir William's bed-chamber to be secured, yet, there being a third, he made his escape through it. The colonel, having directed the messenger to stay at the house till further orders, returned with speed to London, to acquaint the government with what had passed ; whereupon the king in council thought fit to sign a proclamation, with a reward of a thousand pounds, for apprehending Sir William.

One of the papers found in Sir William's pocket was said to be a list of the principal persons, who had joined in an association to favour an invasion, and to advance the pretender to the throne ; which association was transmitted to him by the lord Lansdown. Be that as it will, it is certain a great many notorious jacobites, who by this time had got together at Bath, in order to head the intended insurrection in Somersetshire, were extremely alarmed at the coming down of the king's messengers, and left that place with great precipitation, in a very stormy night. Sir William Wyndham, being pursued by the proclamation, and several messengers, thought a clergyman's habit the best disguise, and ordered one of his servants to write a letter to a gentleman in Surrey, desiring him to give his master refuge in his house : or, if he would not venture so far, to get him a lodging in the minister's house, where he would come in a habit, that would bespeak him respect from a clergyman. This letter being brought to the gentleman's house while he was abroad, his lady opened it ; and being frightened with the thoughts of the danger, which her husband might incur in harbouring a person charged with treason, she thought fit to send it to the earl of Aylesford, who

1715. failed not immediately to communicate it to the government. Sir William rightly judging, by the miscarriage of the letter, that he could hardly escape, thought it prudent to surrender himself. In order to which, having crossed the Thames near Thistleworth, he went first to Sion-house, belonging to the duke of Somerset, his father-in-law, and, coming from thence to London the 3d of October, he put himself into the hands of the earl of Hertford, his brother-in-law, captain of one of the troops of life-guards: who having given notice of it to Mr secretary Stanhope, a messenger was sent to take Sir William into custody. Three days after, he was examined at the council board, where he flatly denied he knew any thing of a plot. However, an order was made for his commitment to the Tower. It was then strongly reported, the duke of Somerset offered to be his bail; which the council did not think fit to accept. But whether the duke bore this denial impatiently, and expressed some resentment upon it too warmly, it is certain, he was removed from his place of master of the horse.

The parliament is adjourned.

While these things were transacting, the king came, on the 21st of September, to the House of lords, and, having passed the bills that were ready, ordered the lord-chancellor to deliver the following speech to both houses (n):

My

(n) When the speaker presented the three bills for settling a revenue on the princess of Wales, for enlarging the capital stock of the South-sea company, and for making provision for the ministers of the fifty new churches, he made a speech with great spirit and eloquence, wherein, among others, were the following passages:

‘ Your commons could not see, without the utmost indignation, the glories of her late majesty’s reign tarnished by a treacherous cessation of arms; the faith of treaties violated; that antient probity, for which the English nation had been justly renowned

‘ throughout all ages, exposed to scorn and contempt, and the trade of the kingdom given up by insidious and precarious treaties of commerce, whilst the people, amused with new worlds explored, were contented to see the most advantageous branches of their commerce in Europe lost or betrayed.

‘ Such was the condition of this kingdom, when it pleased the divine providence to call your majesty to the throne of your ancestors, under whose auspicious reign, your commons, with pleasure, behold the glory of the Plantagenets, your majesty’s royal ancestors, revive, and have an

un-

My lords and gentlemen,

" I AM persuaded your are all by this time very desirous ^{The king's} of some recess, and that it cannot be deferred longer, ^{speech.} without great inconvenience to your private affairs.

" But, before I can part with you, I must return you my most sincere thanks, for your having finished, with so much wisdom and unanimity, what I recommended to your care ; and particularly I thank you, gentlemen of the house of commons, for the provision you have made, as well for the support of the honour and dignity of the crown, as for the other necessary occasions of the publick : especially for your having done it by means so little burdensome to my people ; which, I assure you, recommends the supplies to me above any other circumstance whatsoever.

My lords and gentlemen,

" The open and declared rebellion, which is now actually begun in Scotland must convince all, who do not wish to see us given up into the hands of a popish pretender, of the dangers to which we have been and are still exposed.

" I thought it incumbent on me to give you the earliest notice of the designs of our enemies ; and I cannot sufficiently commend the zeal and dispatch, with which you impowered me, at a time when the nation was in so naked and defenceless a condition, to make such preparations, as I should think necessary for our security. You shall have no reason to repent of the trust

' unbounded prospect of the
' continuance of this happiness
' even to the latest posterity, in
' a race of princes lineally descended from your majesty.

' And that nothing may be
' wanting on the part of your
' commons, to establish your
' majesty's throne on solid and
' lasting foundations, they have
' applied themselves with unwearied diligence, to vindicate the honour of the British

' nation, and to restore a mutual confidence between this kingdom and its antient and faithful allies, by detecting the authors of those pernicious counsels, and the actors in those treacherous designs, in order to bring them to justice, by the judgment of their peers, according to the law of the land, and the usage of parliament, &c.'

1715.

“ and confidence you repose in me, which I shall never use
 “ to any other end, than for the protection and welfare of
 “ my people.

“ It was scarce to be imagined, that any of my protes-
 “ tant subjects, who have known and enjoyed the bene-
 “ fits of our excellent constitution, and have heard of the
 “ great dangers they were wonderfully delivered from by
 “ the happy revolution, should by any arts and manage-
 “ ment be drawn into measures, that must at once destroy
 “ their religion and liberties, and subject them to popery
 “ and arbitrary power. But such has been our misfor-
 “ tune, that too many of my people have been deluded,
 “ and made instrumental to the pretender’s designs, who
 “ had never dared to think of invading us, or raising a
 “ rebellion, had he not been encouraged by the success
 “ his emissaries and adherents have already had in stirring
 “ up riots and tumults, and by the further hopes they en-
 “ tertain of raising insurrections in many parts of my king-
 “ doms.

“ The endeavouring to persuade my people that the
 “ church of England is in danger under my govern-
 “ ment, has been the main artifice employed in car-
 “ rying on this wicked and traiterous design. This insi-
 “ nuation, after the solemn assurances I have given, and
 “ my having laid hold on all opportunities to do every
 “ thing that may tend to the advantage of the church of
 “ England, is both unjust and ungrateful. Nor can I
 “ believe so groundless and malicious a calumny can make
 “ any impression upon the minds of my faithful subjects,
 “ or that they can be so far misled, as to think the church
 “ of England is to be secured, by setting a popish preten-
 “ der on the throne.

My lords and gentlemen,

“ The proofs this parliament has given of their unsha-
 “ ken duty and affection to me, and of their love and
 “ zeal for the interest of their country, will recommend
 “ you to the good opinion and esteem of all, who have
 “ their religion and liberty truly at heart, and has laid
 “ a lasting obligation upon me; and I question not,
 “ but by your further assistance in the several countries,
 “ to which you are going, with the blessing of almighty
 “ God, who has so frequently interposed in favour of this

“ nation,

"nation, I shall be able to disappoint and defeat the design of our enemies.

1715.

"Our meeting again to do business, early in the next winter, will be useful on many accounts, particularly, that the sitting of parliaments may be again brought into that season of the year, which is most convenient; and that as little delay may be given as is possible to your judicial proceedings; and I shall at present give such orders to my lord chancellor, as may not put it long out of my power to meet you on any sudden occasion."

When the king's speech was ended, the parliament adjourned to the 6th of October, and afterwards by several adjournments, to the 9th of January.

Pursuant to the king's speech, orders from the privy-council, with a letter from the secretary of state, were sent to all the lords-lieutenants of the counties in England, to cause the militia to be put in such a posture, as to be ready to march when required; and also to give the necessary directions to the proper officers, to seize the persons and arms of all papists, nonjurors, and others, whom they should have reason to suspect.

The designed insurrection in the western counties was so deeply concerted, and the conspirators so potent and numerous, that the jacobites at Bath, depending on their majority, openly talked, that the affair of Scotland was only a diversion to draw the king's troops that way; but that the effectual attempt would be made in the West very speedily. But the government, having received information of the secret proceedings of the disaffected, took such measures as defeated all their designs. And first, to prevent the intended surprisal of Bristol, in order to make it a place of arms, the earl of Berkley, lord-lieutenant of the county, and governor of that city, repaired thither with all speed, and took all necessary precautions to secure that important place. Several persons were apprehended, and, amongst the rest, Mr Hart, a merchant, who was charged with having collected great quantities of warlike stores for the use of the conspirators. Besides part of Lumley's regiment of horse, and the two battalions of Stanwix and Pocock, who were already in Bristol, colonel Chudleigh's regiment of foot marched thither, about the beginning of October. At the same time the lord Windsor's regiment of horse, and Rich's dragoons, under the

A design to
seize Bristol
prevented,

1715. command of major-general Wade, marched to Bath, which place was both the rendezvous, and one of the arsenals of the conspirators. Upon strict search, the king's officers found and seized there eleven chests of fire-arms, a hoghead full of basket-hilt swords, and another of cartouches, and three pieces of cannon, one mortar, and moulds to cast cannon, which had been buried under ground. There were about two hundred horses seized; and the following persons were apprehended, captain Landford, captain Doyle, captain Sinclair, Sir George Brown, Mr Mackarty, Mr Dun, Mr Macdonnel, and William Hbbort. They were all brought to London by a party of brigadier Bowles's regiment, on the 18th of October.

The university of Oxford suspected.

The behaviour of the university of Oxford gave likewise reason to suspect them. They had lately chose the earl of Arran their chancellor, in the room of his brother the duke of Ormond, by a great majority over the earl of Pembroke, who was put up in competition with him. On the 26th of September, the earl of Arran was sworn and installed into that office with the usual solemnity; and the vice-chancellor made a long speech, 'wherein he enumerated and extolled the eminent virtues of the family of Butler, and took notice of the great obligations they had at different times laid on that seminary of learning; suggesting withal, that, the duke of Ormond having, before his withdrawing beyond sea, thought fit to resign the place of chancellor of that university, they could not better express their gratitude, both to his grace and his noble ancestors, than by chusing his brother the earl of Arran, in his grace's room.' The university concluded this demonstration of their disaffection, by conferring the degrees of doctor of laws on Sir John Everard, a nonjuror, and on Sir William Gifford, late governor of Greenwich hospital. Not many days after, a letter from a young gentleman at Oxford to his friend in London, falling into other hands, by reason of a similitude of names, the following particulars were found in it: 'I think myself very happy in being settled in this so loyal a place, and only want your good company to compleat it; for here we fear nothing, but drink James's health every day. The prince thought to have been made chancellor, and by that to have been a bishop, but, thank God, he was disappointed.'

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The government being informed of all that passed at Oxford, and in particular, that colonel Owen, with some other broken officers, Irish papists, and several notorious jacobites, having taken sanctuary in that place, fomented the spirit of rebellion, drinking publickly and uncontrolled the pretender's health; and it being justly suspected, that they designed an insurrection, in order to act in conjunction with the disaffected at Bristol and Bath, with whom they held intelligence, it was resolved to secure their persons. Major-general Pepper being discharged with this commission, sent one of his officers, disguised in a countryman's habit, to Oxford, to get intelligence, and view the avenues and principal posts in the town; and then began to move himself, with his own regiment of dragoons, and a detachment of Tyrrel's, bending his march towards Bath and Bristol. But, on the 5th of October, being come within seven or eight miles of Oxford, instead of resting, he marched all night, and entered the city very early in the morning. Having caused his men to alight, and fix their bayonets in the muzzles of their fuzees, he immediately secured all the avenues and the gates of every inn and publick house; and then sent one of his officers to the vice-chancellor and the mayor of the town, to desire to speak with them. They having readily obeyed the summons, general Pepper delivered to them a letter from Mr secretary Stanhope, and, in a few words, acquainted them with his orders to seize sixteen or eighteen suspected persons; adding, 'That their concurring assistance would be very acceptable to the government; otherwise, that he must be obliged to proceed to such methods, as should best execute his orders.' The vice-chancellor and the mayor, surprized at this unexpected sight of soldiers, readily promised the general all the assistance in their power, and offered to provide him quarters for his men; which was not accepted, because their stay was to be very short. The vice-chancellor in particular, who some days before had boldly delivered a long oration in praise of a nobleman attainted by act of parliament, now trembling, and in the utmost confusion, made large professions of loyalty and affection to his majesty. General Pepper told him, the only proof of those professions, which he desired at present, was, that he should keep the fellows and scholars quiet in their colleges; declaring to him, at the same time, that if any disturbance happened, or if any persons assembled in the streets, above the number allowed by the act of parliament

1715.

against riots, he would cause his men to fire upon them. The vice-chancellor promised all, and even more than was desired; so the officers appointed by general Pepper began to search for the men, whom they had orders to apprehend. But the chief of them, colonel Owen, who lay that night at the Grayhound-inn, having timely notice from the ostler of the arrival of the king's troops, leaped over a wall in his night gown, and got into Magdalen-college, where general Pepper did not think proper to search for him, rightly judging it would be in vain. Of the other suspected persons, ten or eleven were taken; the principal of whom were Mr Gordon, Mr Ker, Mr Dorrel, Mr Wilson, captain Halstead, Mr Spelman of Norfolk, Lloyd, the famous jacobite coffee-man at Charing-Cross (who had formerly followed the same employment at Dublin) and one who pretended to be a postman, in the lining of whose coat were found letters, which he was bringing from the conspirators at Bath to their correspondents at Oxford. They also seized two horses with fine furniture, belonging to colonel Owen, which were said to have formerly been the duke of Ormond's: as likewise the horses and warlike accoutrements of several others. As soon as the officers had made what search they thought proper, and refreshed their men, general Pepper caused them to mount, and marched out of town with his prisoners towards Abingdon. It might have been expected, that the university and city of Oxford would have taken warning from this short military visit; but upon information, that the disaffected there persisted in their disrespectful behaviour towards the king's person and government, and even that a traiterous design was carrying on to seize that city for the pretender, for which purpose a regiment was to be formed of the young students, under proper officers, who secretly resorted to Oxford; the court thought fit to order Handasyde's regiment of foot to be quartered there. Accordingly, they marched thither on the 28th of October; and their arrival was the more seasonable, as, the very night before, the rabble had the insolence to proclaim the pretender, and to commit several outrages against the well-affected.

A design on
Plymouth
prevented.

The design upon Bristol having miscarried, a project was laid to seize on Plymouth. But this was also prevented by timely securing several suspected persons, particularly Sir Richard Vivian, who was brought to London the 8th of October in custody of a messenger.

The

The common people in Cornwall were at this time so ripe for rebellion, that six or seven of them ventured to proclaim the pretender at St. Colombe, two of whom were seized, and a reward of 100*l.* each was offered by the government for apprehending the rest. However, by the great care and vigilance of Mr Boscawen, comptroller of the household, all things were kept quiet in those parts.

1715.

The pretender proclaimed in Cornwall.

The disaffected in the North of England were more successful than their brethren in the West. There had been measures concerted at London by the pretender's friends some time before the insurrection in Northumberland broke out; which received great assistance from captain John Shaftoe, an half-pay officer, afterwards executed at Preston, and captain John Hunter, of North Tyne in Northumberland, who had a commission from queen Anne to raise an independent company, but did not. Besides these, there was one captain Robert Talbot, an Irishman, and a papist, formerly in the French service, who, being acquainted with the design, in August, 1715, took shipping at London, and went to Newcastle. By Talbot the resolutions, taken at London, were first communicated to their friends in the North of England, and means used to persuade and prepare those, who had been engaged by them, to be ready to rise upon warning given.

Insurrection in Northumberland. Patten.

A correspondence and intelligence were now settled with all the conspirators in the several parts of Britain. But, as this was a correspondence of too much importance to be carried on by the ordinary conveyance of letters, there were several gentlemen from sundry parts in the kingdom riding from place to place as travellers, under pretence of seeing the country, and thereby carrying intelligence, discoursing with persons, and settling and appointing their business. The principal men intrusted with these negotiations were colonel Oxburgh, Mr Nicholas Wogan, Mr Charles Wogan, and Mr James Talbot, all Irish papists. A second class of agents consisted of Mr Clifton, brother of Sir Gervase Clifton, and Mr Beaumont, both gentlemen of Nottinghamshire, and Mr Buxton, a clergyman of Derbyshire. All these rid like gentlemen, with servants and attendants, and were armed with swords and pistols. They kept always moving, and travelled from place to place, till things ripened for action. The first step towards their appearing in arms was, when about the latter end of September, the earl of Derwentwater had notice, that there was a warrant out from the secretary of state to apprehend

1715.

hend him, and that the messengers were come to Durham, who were to take him. The earl went to the house of one Mr B—n in his neighbourhood, a justice of the peace, who, if he had been well affected to the government, or had regarded that lord's real interest, might have honourably enough taken him, or at least persuaded him to surrender, which, it is presumed, would not have been a difficult matter. Hence the earl is supposed to have gone to the house of one Richard Lambert, which was thought more private, and less suspected. Mr Thomas Forster junior, knight of the shire for Northumberland, against whom a warrant was likewise issued out, having notice of it, went from place to place, till at last he came to the house of Mr Fenwick of Bywell. The messenger in pursuit of him was come within half a mile of that place; but staying to call for a constable to his aid, Mr Forster found time to escape. Upon this there was a full meeting of the parties concerned in Northumberland; where considering all the circumstances of their friends, and of the interest they were embarked in, they judged that, as there was no longer any safety in shifting from place to place, in a few days they should all be secured and confined in prisons, or conveyed to London; that, as they should be separately confined, so they should be separately examined, and none could say what the other should answer; so that, for fear of betraying one another, they should be really brought to do it; that now was the time to shew their loyalty to their king, since, if this opportunity were lost, they had no room to hope for another; and therefore they boldly resolved immediately to appear in arms. Pursuant to this resolution an appointment was made, and notice of it sent to all their friends, to meet the next morning, at a place called Green-rig. Accordingly Mr Forster, with several gentlemen, in number at first about twenty, met at the rendezvous, but made no stay, thinking the place inconvenient, but rode immediately to the top of a hill called the Waterfalls; from whence they might discover any, that came either to join or oppose, them. They quickly discovered the earl of Derwentwater, who came that morning from his seat at Dillston, with some friends, and all his servants, mounted upon his coach-horses, and all very well armed. In coming from Dillston Hall, they all drew their swords as they marched along Corbridge. They halted at the seat of Mr Errington, where several other gentlemen according to appointment came

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came to the lord Derwentwater. When they had joined Mr Forster and his company, they were in all about sixty horse, most gentlemen and their attendants. They called a short council, and it was concluded to march towards the river Coquett, to a place called Plainfield. Here they were joined by others, and having made some stay, they resolved to go that night to Rothbury, a small market-town. They staid there all night; and next morning, being the 7th of October, their number still increasing, they marched to Warkworth, another market-town upon the sea-coast, of a strong situation. Here they continued till Monday, during which time nothing material happened, except that on Sunday morning Mr Forster, who now stiled himself general, sent Mr Buxton their chaplain to Mr Ion, the minister of the parish, with orders for him, 'to pray for the pretender as king, and in the litanv, for Mary queen-mother, and all the dutiful branches of the royal family;' which Mr Ion declining, Mr Buxton took possession of the church, read prayers, and preached. In the mean while Mr Ion went to Newcastle to consult his own safety, and acquaint the government with what had happened. The next thing they did, was openly to proclaim the pretender as king of Great-Britain, &c. It was done by Mr Forster in disguise, and by sound of trumpet, and all the formality, that the circumstances and place would admit. On Monday the 10th of October they marched to Morpeth, having been joined at Felton-Bridge by seventy Scots horse, or rather gentlemen from the borders. They had been considerably increased before, in their march from Warkworth, at Alnwick, and other places, so that, at their entering Morpeth, they were three hundred strong, all horse, for they would entertain no foot; otherwise their number would have been very large; but as they neither had nor could provide arms for those they had mounted, they gave the common people good words, and told them, they should soon be furnished with arms and ammunition, and then they would lift regiments to form an army. This was upon the expectation of surprizing Newcastle, in which case they did not question to have as many foot as they pleased. Here Mr Forster received an account, that Mr Lancelot Errington and some others had surprized the castle in Holy Island, which is a small fort guarded by a few soldiers sent weekly from the garrison at Berwick. Errington undiscovered took boat and went to sea, and with his companions landed under the cover of the wall, and got into the fort by surprize;

1715.

surprize; though he kept the possession but a very short time, for the governor of Berwick, having an immediate account of the action, and resolving, if possible, to recover the place before Errington could be supplied with men and provisions, detached a party of thirty men of his garrison with about fifty volunteers of the inhabitants, who marching over the sands at low-water-mark, attacked the fort, and took it sword in hand: Errington himself attempting to make his escape was wounded and taken prisoner, with several others; but he with his brother afterwards escaped out of Berwick in disguise. The design of taking this fort, was to give signals to any ships that seemed to make to the coast to land soldiers; for, by the assurances they had from their friends beyond sea, they expected them to land on that coast with supplies of arms and officers; but they came not till they were gone for Scotland; and then two ships appeared off at sea, and made their signal, but, having no answer from the shore, they sailed northward.

The rebellion was now formed, and they were all in a body at Morpeth, promising themselves great things at Newcastle. Several gentlemen joined them, and some of the country people offered to lift; but they still refused them, and prepared to march to Newcastle. Before they went on, Mr Buxton the clergyman, taking on himself the office of a herald, proclaimed the pretender. Having sent a party to seize Felton-bridge, they marched towards Newcastle, and to their great disappointment found the gates shut against them. Upon this, they turned to the westward, and marched to Hexham, where they were joined by some more Scots horse. From Hexham they all went three miles distant, to a heath or moor adjoining to Dilton, the earl of Derwentwater's seat, and there they made an halt, with design, as it was thought, to go and surprize Newcastle; but they soon returned to their former quarters, having certain intelligence from their friends in Newcastle, that, even before any regular forces entered the town, the magistrates and deputy-lieutenants, having had first some suspicion, and soon after positive intelligence of the design of the rebels, had effectually prevented a surprize, and taken all imaginable precaution for their security, raising immediately what men they could, seizing all papists and suspected persons, arming the inhabitants for their own defence; and taking into the town the militia, who about that time, were ordered to muster at Killingworth. The earl of Scarborough, lord-lieutenant of Northumberland,

repaired likewise with his friends to Newcastle; and the gentry of those parts, after his example, mounted their neighbours and tenants; so that the town was full of horses and men, both townsmen and country-men unanimously declaring for king George. However, the chiefs of the rebels having great interest in that place, the inhabitants were not altogether without fear; nor were the high-party in the town without the folly of discovering their affection for the rebels at Hexham, and even using some threatening expressions. This was, perhaps, partly the occasion of laying aside the former divisions and prejudices between the well-affected inhabitants as churchmen and dissenters. The latter cheerfully offering, and the former freely accepting the offer, an association was entered into by both, for the mutual defence of their lives and estates; and a body of seven hundred volunteers were armed by the town for their immediate guard without distinction. The keelmen, being mostly dissenters, offered a body of seven hundred more, to be always ready at half an hour's warning; which was also accepted. In the midst of this hurry, a battalion of foot, and part of a regiment of dragoons, having been ordered out of Yorkshire for the security of the town, came to Newcastle; and then all the fears of the inhabitants vanished. A few days after, lieutenant-general Carpenter having been sent by the government in pursuit of the rebels with Hotham's regiment of foot, and Cobham's, Molesworth's, and Churchill's dragoons, arrived also at Newcastle the 18th of October, and began to prepare for attacking the rebels at Hexham. In the mean time the rebels, who staid but three days at Hexham, seized all the arms and horses they could meet with, and the night before they left the town, they all drew up round the cross in the market-place, and proclaimed the pretender. They had received advice, that the lord viscount Kenmure, the earls of Nithisdale, Carnwath, and Wintoun, who had taken arms in Nithisdale, Dumfries-shire, and other places in the west of Scotland, were entered England to join them, and were come to Rothbury. The lord Kenmure, the only nobleman in that part of Scotland capable of commanding, was solicited by the earl of Mar to take up arms for the pretender, and to command such forces, as would join him on that side the Forth. He at first refused this offer, but, being importuned by the jacobites in that country, was at last prevailed with to set up the pretender's standard at Moffat in Annandale on the 12th of October.

1715. **October.** The next day the body, who joined him, marched towards Dumfries, with design to surprize that town; but the marquis of Annandale, whom they had followed the day before, having none but his servants with him, entered the town, and concerted such measures, as disappointed their design. This obliged the rebels to alter their route, and after great disputes they agreed at last to march to Loughmaben, where they set up their standard, and proclaimed the pretender. On the 14th they marched to Achelsechen, and on their march, being in all near two hundred horse, they were formed into a regiment, divided into two squadrons, the chief command remaining with the lord Kenmure, and each squadron under the earls of Wintoun and Carnwath. Hence they marched regularly, and sent their quarter-master-general Mr Calderwood to take up quarters for them. Next day they came to Langholm, and so on to Hawick, their numbers increasing in the way. At this place they were alarmed, which raised some disputes, whether they should proceed. They agreed at last to return; but receiving an express from Mr Forster about two miles from Hawick towards Langholm, inviting the lord Kenmure and his followers to meet him at Rothbury, they faced about, and marched that night to Jedburgh. Here they received intelligence of Mackintosh's crossing the Forth, and the duke of Argyles resolution to attack them. In their march to Jedburgh, they were extremely alarmed; for being late, their advanced guard was surprized by the shouts of one, who called out, that the grey horse were ready to fall upon them, and had cut the quarter-master, and those with him, to pieces. They, who were acquainted with the quarter-master, assuring the lord Kenmure, he would by no means be so easily insnared, they continued their march, and entered the town without opposition. Here, as in most other towns, they proclaimed the pretender; and the next day proceeded to Rothbury; and from thence dispatched Mr Burnet of Carlips to Hexham to Mr Forster, to know, whether he would come towards them, or they should advance? Forster returned an express, that he would join them. Upon this, and the news that general Carpenter was preparing to attack them, the Northumberland rebels marched out of Hexham on the 19th of October, and making a long march joined the Scots that night, and all of them next day marched to Woller. Being informed there by Mr Errington, that the highlanders, who had crossed the Forth

under

under Mackintosh, were coming to join them, they marched to Kelfo in Scotland.

During these proceedings of the English rebels, the principal persons, who were either in rebellion with the earl of Mar, or justly suspected of being disaffected to the government, were, pursuant to the late act, ordered, as has been said, to appear at Edinburgh, and surrender themselves (o). Of all that were summoned, only two surrendered themselves; Sir Alexander Erskine and Sir Patrick Murray, who were both secured in the castle of Edinburgh. The rest not appearing were denounced rebels. The duke of Argyle arrived at Edinburgh the 14th of September. He went the next day and viewed the castle, and appointed Brigadier Grant to command it, till the arrival of brigadier Preston the deputy governor.

The earl of Mar and his party, after having proclaimed the pretender at Kirk-Michael, on the 9th of September, continued there four or five days, and then proceeded to Moulin, another small market-town in Perthshire, where they likewise proclaimed the pretender, and rested fourteen

1715.

The heads of the disaffected summoned to Edinburgh.

Progress of the earl of Mar.

(o) The persons summoned were :

The marquis of Huntley, eldest son to the duke of Gordon; the earls of Seaforth, Wintoun, Carnwath, Southesk, Nithsdale, Linlithgow, Mar, Kinnoil, Panmure, Marischal, Broadalbin; the viscounts of Kenmure, Stormount, Kilsyth, Kingston, Strathallan; the lords Ogilvie, Rollo, Drummond, Nairn, Glenorchy; Sir James Campbell of Auchenbrech, Sir Duncan Campbell of Lochnel, Sir Donald Macdonald, Sir Patrick Murray of Auchtertyre, Sir Hugh Paterson of Bonnockburn, Sir Alexander Erskine, lord Lyon, Sir John Maclean; lieutenant-general George Hamilton; the master of Stormount, the master of Nairn, Mr Alexander Mackenzie of Fraserdale, James Stirling of Keir, Robert Stuart of Appin, John Campbell of

Astrabalter, William Murray, junr of Auchtertyre, Alexander Robinson of Strowan; the lairds of Mackinnan, Clanronold, Glenghary, Keppoch, William Drummond, servant to the lord Drummond, Mr Seaton of Touch, lieutenant Allen Cameron, Rob Roy, alias MacGregor, Mr Stuart of Ard, Mr Francis Stuart, brother to the earl of Murray, John Cameron of Lochiell, Mr John Fullerton of Greenhall, Mackintosh, junr of Borlam, James Malcom, Mr Henry Maul, brother to the earl of Panmure, John Walkinshaw of Barrowfield, Colin Campbell of Glenderule ——— Graham of Bucklivy, George Hume of Whitfield, Mr John Drummond, brother to the lord Drummond, Lyon of Auchterhouse, colonel Balfour, the master of Balfour, and Bethune of Balfour.

days,

1715. days, considerably increasing their numbers. From hence they marched to Logaret, another market-town, where they were reckoned to be a thousand men well armed. From Logaret they marched to Dunkeld, which they made their head-quarters; and here their numbers greatly increased again, for they were joined by two thousand men from the highlands, by the marquis of Tullibardine, by the earl of Broadalbin's men, and several others. Finding themselves thus strengthened, they resolved to extend their quarters; and the earl of Mar having intelligence, that the earl of Rothes and the gentlemen of Fife (who were up in arms for the king) were advancing to possess themselves of Perth, which commands the passage over the Tay, resolved to prevent them; and detached Mr John Hay, brother to the earl of Kinnoul, with a strong party, with orders to possess himself of that place, which he performed effectually. As this was a great disappointment to the king's troops, so it was a very great advantage to the earl of Mar, as it gave him the command of all Fife, the most fruitful, rich, and, for the convenience of the sea-coast, the most commodious to him of any shire in that part of Scotland; and as it gave a considerable reputation both to his conduct and to his party, who, upon this success, made preparations in all parts to join him. And now they began to have the face of a formidable army, making this city their chief garrison and head-quarters. A great many lords, chiefs of clans, and other gentlemen from all quarters flocked to them, with their followers, and some of them in very good order, and well armed, particularly the marquis of Huntley, the earl of Seaforth, the Mackintoshes, the earl Marischal, and with them so many, that their number was said to be about twelve thousand men, very well appointed, both horse and foot.

From thence extending their quarters, they performed an exploit at Brunt-Island, which still added to their reputation. They not only surprized the town, being strong by situation, and a sea-port on the firth of Forth, in a view of the city of Edinburgh; but, manning out some boats in the harbour, they seized a ship loaden with arms, ammunition, and other warlike stores, which lay in the firth, bound to the north, for the use of the earl of Sutherland.

After this, they made themselves masters of all the towns upon the coast, even to the mouth of the firth, the earl of

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of Rothes, and the gentlemen with him, being obliged to separate, or retire to Stirling, to the king's army.

1715.

The rebellion being come to this height, the earl of Mar resolved, in concert with his confederates (who began by this time to appear likewise in other places) to make an attempt upon the south parts of Scotland, by a method, which at that time was thought almost impracticable. He sent a strong detachment to cross the firth of Forth, and land on the Lothian side, in order to be joined by their friends, whom they expected to raise about Haddington, and on the borders of England. On their march to the sea-coast they were covered by some horse under the command of Sir John Aerskine of Alva, the master of Sinclair, and Sir James Sharp, grandson to archbishop Sharp, who was murdered in his coach by the old Cameronians. This body was commanded by the laird of Barlum, better known by the name of brigadier Mackintosh, and consisted of two thousand five hundred men well armed. Orders had been given for all the boats on that side to be ready to carry them over. The king's ships in the firth either seeing them, or having notice of the design, prepared to intercept them, if they should attempt the passage; but the rebels made several countermarches to amuse them till night came on; when, drawing down to the shore, several embarked that night, and others the next, making directly over to the south shore, the men of war not being able to prevent them. However one boat was taken with fifty men. Others were forced back to Fife again; among whom lord Strathmore, and his lieutenant-colonel Walkinshaw of Barrowfield, and many were driven into the isle of May. Of the two thousand five hundred designed for this descent upon the Lothians, only one thousand five hundred of them landed; for the men of war being come down made it impracticable for the rest to pass; so they were obliged to stay till the next night, and then to return to Criel on the shore of Fife. The others landed at North Berwick, Aberlady, and other places on that coast, and quartered at Haddington and Tranent the first night. This was certainly a bold attempt, for men in open boats to cross an arm of the sea sixteen or seventeen miles broad, in sight, and in defiance of three men of war, among whom they fell, but received no damage from them, but rather an advantage; for the lights of the ships shewed them how to row to the shore. On the other hand, the government omitted nothing, that might prevent this attempt;

1715.

tempt ; no care was wanting to disappoint them of vessels for the undertaking : the magistrates of Edinburgh, and of the other towns on the Edith, having had notice from the duke of Argyle of this design, had caused all the boats, that could be got, to be brought to Leith ; and besides the three ships of war, that lay in the road, ordered three custom-house smacks, either to burn or bring over from Fife all the boats and vessels they could find, to prevent the rebels coming over. But all these precautions proved ineffectual : the rebels being masters of all the sea-shore from Cromarty to the forth of Edinburgh, easily found means to get boats for their purpose ; nor did they fail of all necessary policy in the management of the design ; for, whilst some of them amused the king's ships about Brunt-Island, as if they would pass above Leith-road, their main body embarked on the other side, under the conduct of brigadier Mackintosh, quite out of sight of the ships ; and by that means came safe ashore.

While this design was executing, the earl of Mar made a feigned march from Perth towards Dumblain, as if he intended to cross the Forth at Stirling-bridge, in order to divert the duke of Argyle from falling upon those, who had crossed the Firth. Nor did this prove ineffectual ; for it obliged the duke of Argyle to return to Stirling with the utmost expedition.

The highlanders, who had thus crossed the firth, having refreshed themselves but one night at Haddington, marched directly towards Edingburgh, where they caused more terror than there was real danger ; for, unless their number had been greater, it was impossible for them to force that city. It was indeed supposed, they expected to be joined by the rabble, and some tumult would be raised in their favour. In the mean time the duke of Argyle received letters from all hands, that, if he did not send a detachment of troops to Edinburgh, the town would certainly fall into the enemies hands. And therefore, though it had always been intirely against his opinion to divide the small number of troops he had with him, he was obliged to comply, and went himself with a detachment of three hundred dragoons, and two hundred foot, mounted on country horses for expedition, and arrived at Edinburgh in the night. The rebels, who were then within four miles of the city, hearing of the arrival of this detachment, altered their resolution of going directly to Edinburgh (which they would have infallibly taken) and marched into the

Oct. 14.

citadel

1715.

citadel of Leith (p). The next morning the duke of Argyle invested the town with the cavalry, and marched his two hundred foot with three hundred and fifty volunteers from Edinburgh, and the like number of lord Polwarth's militia, down to the sea-shore, where, at a large breach in the old rampart, he judged it easy to enter; but, taking a near view of the place, he found, that, to come at the breach, the men must march at least five hundred paces under a flank-fire; that the rebels had made a barricade along the breach; and that a garden-wall on the inside flanked it. These things made the duke unwilling to expose his few regular troops, though they shewed a great eagerness to assault. The rebels in the citadel were about one thousand two hundred; and the rest, that passed the river, being in East Lothian, the duke thought fit to delay any attempt, and consider of some proper method to dislodge them. But in the middle of the night they abandoned the place, and retired into Seaton-house, a large old and strong castle, seven miles from Edinburgh, leaving behind them some baggage and ammunition. Thirty-six of their men and two officers, were taken by a detachment under colonel Dubourgay.

Whilst the rebels were in Seaton-house, several of the king's forces, joined by the well affected gentlemen of the country, came from Edinburgh, and appeared near Preston-Pans; which gave an alarm to the highlanders; upon which a party marched out, and formed themselves in order to receive those, who appeared against them. But those from Edinburgh, having made a halt, retired; and the rebels returned into their garrison at Seaton-house. The next day, the earl of Rothes, with three hundred gentlemen volunteers, and the lord Torpichen with two hundred dragoons, left by the duke of Argyle, marched to Seaton-house; but found the rebels so strongly posted, that it was impossible to dislodge them without artillery. This animated the rebels; and a good body of them advancing, some shot were exchanged, but at too great a distance to do any harm on either side; and the king's troops, seeing nothing could be done, retired.

The duke of Argyle having received intelligence from Stirling, that the earl of Mar, and the rebels under his

(p) This citadel is a square with a large dry ditch about it, fort, with four demi-bastions, never entirely demolished. built in Oliver Cromwell's time,

1715. command, were marching from Perth, he returned to Stirling to observe their motions, leaving a party to protect the people of Edinburgh from the insults of the rabble. This was a feigned march of the earl of Mar, to draw the duke of Argyle from attempting any thing upon the highlanders, who had crossed the Firth. He gave out, that he would pass the Forth with his whole army, either at Stirling, or at the bridge of Down. They began their march in the night of October the 17th, and advanced in three bodies; but upon notice, that the duke of Argyle was returned from pursuing the enemy, he marched back to Perth. All this was an amusement, which indeed succeeded; for he broke the measures of the duke, who had resolved to attack Seaton-house. But the earl was determined not to cross the Forth till he had drawn all the clans together, and reduced the earl of Sutherland, whom if he should leave in his rear, it might prove fatal to his designs, and expose all he had gained without opposition to be recovered by that lord.

The highlanders still continued at Seaton-house, and sent out parties to bring in provisions, of which they procured great plenty, as cows, sheep, meal, &c. They gave out, they resolved to fortify themselves, and make the house a magazine, while they raised an army, as well from the adjacent country, and from Edinburgh, and from other friends to their design in the West part of Scotland, who were preparing to join them, as from the borders of England, where by this time numbers were risen in Northumberland.

While they staid here, they discovered a boat at sea, making towards the shore from the Fife-side of the Firth. The men of war fired very briskly at her; but, the boat keeping to the windward at a distance, she got safe to shore. This boat had been sent by the rebels from Leith to the earl of Mar, and now brought back news concerning the proceedings of their friends at Perth, and orders to march towards England, to join the Northumbrians. Immediately after the receiving of these orders, two gentlemen brought them an account of the insurrection in Northumberland under the command of Mr Forster, and of the southern Scots gentlemen under the lord Kenmure. Upon this they altered their resolution of continuing at Seaton-house; and having also received an express from Mr Forster, inviting them to meet him at Kello on the borders, they resolved to march the next day towards him. Accord-

ingly

1715.

ingly they set out in the morning for Lonformachus, a small town seventeen miles from Seaton-house. During this day's march, several highlanders deserted. As soon as major-general Wightman received intelligence of their motion, he marched from Edinburgh with eighty dragoons, fifty of the militia, and some volunteers, to attack their rear; but returned in the evening without success, having only taken some of the deserters, whom he made prisoners, and left fifty foot in Seaton-house, where they had left a great deal of their spoil. Mackintosh and his men marched from Lonformachus, towards another small town in the Mers called Dunse, where they drew up in order of battle, whilst the pretender was proclaimed, retiring afterwards to their quarters in that town. The next morning, they marched towards Kelso, where the English and Scots horse from Northumberland and Nithisdale entered the same evening. The next day they proclaimed the pretender, and continued there till the 27th of October (q). It will now

Oct. 22.

(q) Mr Patten gives the following account of the state of the rebels, at their junction at Kelso :

The lord viscount Kenmure had the chief command whilst in Scotland. He was a grave, full-aged gentleman, of a very antient family, and of great experience in political business, but of little or none in military affairs. He was of a singular good temper, but too mild and calm for such a post. He had a troop of gentlemen with him, which, as he was general, was called the first troop, the command of which he gave to the honourable Basil Hamilton of Beldoun, son to the lord Basil Hamilton, brother to the late duke Hamilton, a very promising youth, and who behaved himself with a great deal of courage in the action at Preston, tho' but very young.

The second troop was called the Merse troop, commanded

by the honourable James Hume, Esq; brother to the earl of Hume, who, at that time, was prisoner in Edinburgh castle. This youth is of a good temper, but not very capable of having the command of a troop, as well on account of his age, as other incapacities. He was tried at the Marshalsea, and found guilty.

The third troop, called the earl of Wintoun's troop, and commanded by himself. This earl is of a very antient family, wants no courage, and has more capacity than his friends find it for his interest to suggest, as appears by the counsel he gave. He opposed the scheme of the Northumbrian gentlemen to march into England, and pressed them to leave Edinburgh and Stirling to their fate, and go and join the western clans, attacking in their way the towns of Dumfries and Glasgow, and then to open a communication

with

1715. now be proper to see what was doing in other parts of Scotland.

The synods of Glasgow, Air, Perth, Stirling, Merse, and Tiviotdale had very early published earnest admonitions

with the earl of Mar. Had this advice been followed, it would, very probably, have proved very advantageous. The command of his troop he assigned, under himself, to captain James Dalziel, brother to the earl of Carnwarth, who had been in king George's service formerly, and continued an half-pay officer for some time; but, upon engaging in the rebellion, he threw up his commission; which piece of policy was the saving of his life, and prevented his being shot to death at Preston, by sentence of the court-martial, among the half-pay officers. He was a very bold and brave young gentleman, and shewed it upon all occasions.

The fourth troop belonged to Robert Dalziel, earl of Carnwarth: this nobleman was brought up under the tuition of one, who made it his studied care to instil the principles of hereditary right, passive obedience, and non resistance into his mind. He studied some time at Cambridge, and there sucked in an entire affection for the liturgy and worship in use in the church of England, of which he was a sincere devotee. He is singularly good in his temper, and of an agreeable affability, and delivers himself very handsomely in his discourse. The command of this troop he gave over to his uncle James Dalziel, Esq. This

gentleman had a very good character, and gave sufficient demonstrations of his affections to the pretender's interests, by his courage and conduct.

The fifth troop was under the command of captain Lockhart, brother to Mr Lockhart of Carnwarth: he was a half-pay officer in the lord Mark Ker's regiment, and as such tried at Preston, by a court-martial; by which being found guilty of desertion, he, with three more, were shot to death there.

These troops were well manned, and indifferently armed; but many of their horses small: besides these, there were many volunteers, who were not formed into any regular troop.

The six regiments designed to cross the Forth were:

First, the earl Strathmore's; but he, and his lieutenant colonel Walkinshaw of Barrowfield, were forced back in their passage by the king's men of war, with several others, and obliged to go on shore in the isle of May. This regiment was not in highland-dress, as the others were. This lord was a hearty friend of the pretender's, and had, some time before this rebellion broke out, given it under his hand, that he would be ready, the first opportunity, to rise and assist to establish him upon the throne. This paper, which was signed by several others, was lodged

in

to persons of all ranks, to animate them to the defence of King George and the constitution.

On the 28th of September, Mr James Murray, second son of the lord viscount Stourmont, arrived incognito at Edinburgh

1715.
James Murray comes over as secretary to the pretender.

in the hands of colonel Hookes, to be by him transported into France.

The second regiment was the earl of Mar's, which came not entire over the Forth; for only major Forbes, with three captains and three lieutenants, were taken at Preston, the rest were driven back by the men of war.

The third, Logie Drummond's. This regiment came not entire over the Forth, being driven back on the Fife side, with many more: for, of the two thousand five hundred designed to cross the Firth, the better half were prevented. He that had the command of this regiment was one of those that signed an answer to monsieur de Torcy's questions, which gave a distinct resolution to each query, containing a full account of the state of affairs; particularly an account of the inclinations of the people, to venture all for the chevalier's service: this was when the people of Scotland were dissatisfied about the union, in the year 1707. This paper was likewise lodged in the hands of colonel Hookes, to be by him transported into France.

The fourth, the lord Nairn's, brother to the duke of Athol; but by marrying an heiress, according to the custom of Scotland, changed his own name for her's: he came over the Firth with a good many of his

men. He is a gentleman well beloved in his country, and by all that had the advantage to be acquainted with him: he had formerly been at sea, and gave signal instances of his bravery: he was a mighty stickler against the union. His son, who was lieutenant colonel to lord Charles, took a great deal of pains to encourage the highlanders by his own experience, in their hard marches, and always went with them on foot thro' the worst and deepest ways, and in highland-dress.

The fifth regiment was commanded by lord Charles Murray, a younger son of the duke of Athol: he had been a cornet of horse beyond-sea, and had gained a mighty good character for his bravery, even temper, and graceful deportment. Upon all the marches, he could never be prevailed with to ride, but kept at the head of his regiment on foot, in his highland-dress, without breeches: he would scarce accept of a horse to cross the rivers, which his men, in that season of the year, forded above mid-thigh deep in water. When the rebels surrendered at Preston, he was tried for a deserter, being a half-pay officer, and shot.

The sixth regiment was called Mackintosh's battalion, a relation of the brigadier's, who is chief of that clan. He is of an antient family, descend-

1715. Edinburgh from France, by way of England, crossing the Firth at Newhaven above Leith, got undiscovered into Fife, and so to the earl of Mar at Perth. He gave the rebels large promises of assistance both from France and England, and

ed from the old Thanes of Fife. His name, in the Irish, or highland language, discovers his descent; for Tosh signifies Thane, and Mac, son. His motto to his coat of arms is comical as well as remarkable, 'Touch not the cat without your glove;' which coat of arms is supported by two wild cats, and has a cat for the crest. The earl of Weems is descended from the same Thane of Fife; and it is disputed whether he or Mackintosh are elder, though certain it is, that the earl of Weems retains a considerable part of Thane's estate. Whether Mackintosh be elder or younger, he left Fife, and made a purchase in the north, where his successors have lived for several hundreds of years in a handsome and splendid manner, and married the heirs of Clancattau, whereof Mackintosh became the head and chief; which has a great many tribes or followers, viz. the Macphersons, the Farquarsons of Brae-Mar, the Macgilroys, the Shaws, Macbeans, Macqueens, Smiths, and Clarks, &c. which, joined together, make a numerous clan. The Macphersons would not on this occasion follow their chief, but formed a separate body for the pretender. This regiment came entire over the Firth. Mackintosh is a gentleman that few people expected in the rebellion, having always

appeared on the other side; but the persuasions of the brigadier prevailed with him. He is a handsome brave young gentleman, of a very considerable interest in his own country; for he can bring into the field upon any occasion one thousand stout, hardy, and well armed men.

The English were not so well regulated, or so well armed as the Scots. The troops were: First, the earl of Derwentwater's, commanded by his brother Charles Radcliffe, Esq; and captain John Shaftoe. That earl being a papist, and a relation of the pretender's, having it seems had the opportunity of being personally acquainted with him, all these circumstances unhappily concurred to draw him into this snare, to his destruction, and the utter ruin of the most flourishing family in that part of Britain.

It was thought, however, that this lord did not join either so heartily or so premeditatedly in this affair as was expected; for there is no doubt but he might have brought far greater numbers of men into the field than he did; the great estate he possessed, the money he could command, his interest among the gentlemen, and, which is above all, his being so well beloved as he was, could not have failed to have procured him many hundreds of followers more than he had, if he had thought

and came with the character of secretary of state to the pretender for Scotland.

1715.

About this time a strong party of the Macdonalds, Macleans, and Camerons, attempted to surprise the fortrefs of Inver-

thought fit; for his concerns in the lead-mines in Alstone-Moor are very considerable, where several hundreds of men are employed under him, and get their bread from him, whom, there is no doubt, he might easily have engaged: besides this, the sweetness of his temper and disposition, in which he had few equals, had so secured him the affection of all his tenants, neighbours, and dependants, that multitudes would have lived and died with him: the truth is, he was a man formed by nature to be generally beloved; for he was of so universal a beneficence, that he seemed to live for others. As he lived among his own people, there he spent his estate, and continually did offices of kindness and good neighbourhood to every body, as opportunity offered. He kept a house of generous hospitality and noble entertainment, which few in that country do, and none come up to. He was very charitable to poor and distressed families on all occasions, whether known to him or not, and whether papist or protestant. His fate will be sensibly felt by a great many, who had no kindness for the cause he died in, and who heartily wish he had not forwarded his ruin, and their loss by his indiscretion in joining in this mad as well as wicked undertaking. If the warrant from the secretary's office for appre-

hending him had been made a greater secret than it was, he might have been taken, and so his ruin have been prevented. His brother is young and bold, but too forward: he has a great deal of courage, which wants a few more years, and a better cause to improve it; there is room to hope he will never employ it in such an adventure again.

The second troop was the lord Widdrington's, commanded by Mr Thomas Errington of Beaufront. This Errington is a gentleman of a very antient family in Northumberland, a younger brother of the family of Errington: he has very good natural parts, and had been formerly an officer in the French service, where he had got the reputation of a good foldier. It is believed he would not have engaged in this rebellion, had not the many obligations he lay under to the earl of Derwentwater prevailed with him.

The third troop was commanded by captain John Hunter, born upon the river North-Tyne in the county of Northumberland: he had obtained a commission in the latter end of queen Anne's reign to raise an independent company, but never received any pay, nor listed any men, but when he made use of that commission now in the rebellion. He was famous for running uncustomed goods out of Scotland into England.

1715. Inverlochy, and succeeded so far, as to take three redoubts at some distance from it; in one of which there was an officer with twenty men, and in another a serjeant with five; but, the main garrison being on their guard, the rebels were disappointed, and marched towards Argyleshire.

On the 20th of October, an account was brought from the North to Edinburgh, that the earl of Sutherland, with the lord Rea and Mr Monzoe of Foulis, having drawn together about eighteen hundred men, advanced, on the 18th, to Alness, in order to attack the earl of Seaforth, who had assembled the clans of the Mackenzies, Macleods, and others; but that, upon a near view of the rebels, they appeared to be much superior in number; and therefore it was

land. He behaved with great vigour and obstinacy in the action at Preston, where he took possession of some houses during the attack, and galled that brave regiment of brigadier Preston's, making a great slaughter out of the windows: he had since made his escape out of Chester-castle, and, as is said, got over into Ireland, and from thence to France.

The fourth troop was commanded by Robert Douglass, brother to the laird of Finland in Scotland: he signalized himself upon several accounts; for going so often, so privately, and expeditiously between England and the earl of Mar. He was the man who brought Mr Forster his commission, and the manifestoes and declarations of the pretender. He was indefatigable in searching for arms and horses, a trade, some were pleased to say, he had followed out of the rebellion as well as in it. He was also very vigorous in the action at Preston; where he with his men were possessed of several houses, and did a great deal of harm to his majesty's forces from the windows. He

also made his escape when a prisoner, either at Liverpool or Chester.

The fifth troop was commanded by captain Nicholas Wogan, an Irish gentleman, but descended from an antient family of that name in Wales; he joined the rebels at their first meeting. He is a gentleman of a most generous mind, and a great deal of bravery, unwearied to forward the good of his cause: his bravery was made known by several instances in the action at Preston: His generosity, as well as courage, was most remarkable in bringing off prisoner captain Preston, of Preston's regiment of foot, who was mortally wounded through the body by a bullet from the rebels, and just at the point of being cut in pieces; he hazarded his life among his own men, if possible, to save that gentleman, though an enemy, and was wounded in doing it. Besides these there were many volunteers not formed into any troop, and the whole amounted to about two thousand horse and foot.

judged

judged proper for the earl of Sutherland to retire, which he did in good order, and without any loss, to his own shire, where he was augmenting his forces, and preparing to come forward again, being assured of assistance from the Grants and Rosses of Culsaick, and other parts, and from some of the Frasers.

These motions of the earl of Sutherland kept the earl of Seaforth from joining the earl of Mar; the rebels under whom committed great ravages and disorders in Fife. A party coming to Lesley, the chief seat of the earl of Rothes, after searching the house for arms, they forced open the church-doors, and finding no arms there, broke into the burial-place of the family of Rothes, and, digging up the ground, tore open the coffins in a most shocking manner.

On the 20th of October a body of western highlanders, consisting of two thousand three hundred men, commanded by general Gordon, came before Inverary, the chief town in Argyleshire; and, having that night viewed the place, marched back to a mill about half a mile from the town. Next day being reinforced by three hundred of the earl of Broadalbin's men, they viewed the town a second time, and again returned to their former quarters. On the 22d they drew up a third time, and sent detachments to cut fascines, as if they designed to attack the town; but finding, that the earl of Ilay, who commanded in it, was ready to receive them, they thought fit once more to retreat to their quarters; and on the 24th left the place, and marched through Glenorchies, in their way to join the earl of Mar. This preservation of the town of Inverary was, at that juncture, a very considerable service; for, had the rebels been masters of that pass, they might have poured in their men, either towards Glasgow, or into the shire of Air, and so have joined the rebels in the North of England.

On the 23d of October the duke of Argyle received advice, that a party of rebels, consisting of two hundred foot, and one hundred horse, were marching by Castle-Campbel towards Dumferling; upon which he sent away a detachment of dragoons under the command of colonel Cathcart, who came up with the rebels on the 24th at five in the morning; and after having killed and wounded several of them, took seventeen prisoners, and amongst them the following gentlemen, Mr Murray, brother to the laird of Aberkernie; Mr Hay, son to Arbath; Mr Patrick Gordon, Aberlour's eldest son; Alexander Forbes, son to Busslie;

Disorders by
the earl of
Mar's men.

1715.

lie; William Robertson, brother to Donshils; Mr Kenlock, a physician; Alexander Smith; Mr Alexander Gordon; Francis Gordon, of Craig; Mr Hamilton, of Gibstoun in Strabogie; and George Gordon, of the mill of Kincardine. The same evening colonel Cathcart returned to the camp at Sterling with his prisoners, having had only one of his dragoons wounded.

Three letters
intercepted
from Eng-
land.

About this time the earl of Mar received three letters, which had been intercepted by Mr Forster, one from lord Townshend to the duke of Argyle; one from the earl of Nottingham to the duke of Roxburgh; and one from the prince of Wales to the duke of Argyle; of which we have an account in the following letter of the earl of Mar to the earl of Broadalbine, which gives a view of the state of the rebels affairs at that time:

My dear lord,

The earl of
Mar's letter
about them.

' I had the pleasure of your lordship's of the 13th last night. I have now sent one hundred bolls of meal, and what quantity of ammunition we could spare, for the use of the army under general Gordon; all which is sent under an escort of forty men to Taymouth, and from thence your lordship will take care to transport it to your army.

' You ask for news, and I can tell you a good deal pretty agreeable. Most of our Fife detachment are got over to the other side, and proclaimed the king yesterday at Haddington. I have now a letter from Mr Forster, with three letters they had intercepted; one from lord Townshend to duke of Argyle; one from lord Nottingham to duke of Roxburgh, and one from prince Hopeful to duke of Argyle, of which I send your lordship a copy, and by that you will judge pretty well of the situation of our enemies. By Hopeful's letter it will seem, that the duke of Ormond is in England by this time. Mr Forster's letter is three days after his last to me. He was then three hundred horse, and was to be joined next day by all the border, and go straight to Newcastle, which they were sure of, and of getting good numbers of the best foot in the North of England to join them. By them and our men on the South-side, all correspondence betwixt London and the duke of Argyle will be stopped. I have heard nothing yet of these four battallions, and if Evans's dragoons from Ireland to duke of Argyle be come: But, if the news we had of the commotions in that country be not true,

‘ true, they will certainly be with him soon ; and by that
‘ your lordship will easily see the necessity of Gordon’s finish-
‘ ing his business in Argyleshire without delay, and march-
‘ ing West. Tom. Forster thinks and presses my attack-
‘ ing duke of Argyle before that enforcement join him ;
‘ which I wish heartily to do ; but that must be as things
‘ happen. The affair of Argyleshire being finished by your
‘ lordship and Gordon, is of great consequence to this, as
‘ well as other things. Therefore I am sure your lordship
‘ and he will lose no time in it.

‘ By lord Nottingham’s to duke of Roxburgh, I perceive
‘ your lordship has had the honour of a letter from his grace ;
‘ to which I have no doubt of your giving a suitable answer.
‘ The paragraph of the letter is this: Not having time to
‘ send you the whole ; and beside, it signifies little. Though
‘ what you writ to my lord Broadalbine was in itself very
‘ proper ; yet, I doubt it will have little effect upon him,
‘ unless he were convinced of the folly of this attempt, from
‘ some assurance, that not only the preparations against
‘ them would be sufficient to suppress them ; and that all
‘ their expectation of assistance from abroad, or by an in-
‘ surrection in England, would certainly fail them. These
‘ are the words of the letter ; and it is dated the 3d of this
‘ month. That of Hopeful to duke of Argyle is of the
‘ 7th, by which they then knew of duke Ormond’s leav-
‘ ing Paris, which they had not when Nottingham wrote
‘ his letter. And, now that they must know of the in-
‘ surrection in England being far from failing us, I leave
‘ your lordship to judge what they are not thinking at
‘ London of their condition. I have read most of Hope-
‘ ful’s letter to the company here : what I have not read is
‘ the first paragraph ; and that I think your lordship had best
‘ not shew to any body, save to general Gordon.

‘ I just now hear from Monteith, that the earls Ilay and
‘ Bute are certainly in Argyleshire ; and that there are two
‘ men of war come into Clyde, who were sending their
‘ long boats to retake the boats on Lochlomond, which
‘ Glingyll has seized. I wish, with all my heart, this
‘ could be prevented, and that these folks were driven from
‘ Inverary, which I am sure your lordship and general
‘ Gordon will lose no time in doing. I am sorry for more
‘ in that country’s following Lawer’s example ; and par-
‘ ticularly, I am surpris’d exceedingly with Lochnell’s be-
‘ haviour, which I knew some days ago ; but I hear they
‘ have used him as he deserves. One near Stirling wrote

‘ to

1715.

‘ to me two days ago, that the duke of Argyle had sent him prisoner to Edinburgh, which I wish may be true. I hope it will not be in the power of those rogues to do us much hurt, especially when your lordship’s being heartily in the cause of your king and country is known to them: and I assure your lordship, those vassals of yours, who misbehave, shall be used as you desire.

‘ I have sent to Aberdeen for the printing press, and we have lawyers here, with whom I advise as your lordship recommends.

‘ These men of Glenlyon’s, you mentioned, were in Fife, and are gone over: so I have sent a party of Macpherson’s with the meal and ammunition to Taymouth, who are to return from that; and your lordship will take care of it from thence. I have recommended it to your doers there, in case of your absence; and I send this by an express, that you may have it sooner than that party can march.

‘ I’ll long to hear from your lordship, and that you will send me some good news from your parts in return for all this.

‘ The thing I am most in pain about is our friends, who are gone over to the other side, because of Mr Forster’s marching towards Newcastle; and nothing could so much prevent the duke of Argyle’s sending a detachment that way, as your clearing Argyleshire soon, and marching westwards, as Gordon has orders.’

‘ I am, my dear lord,

‘ Your lordship’s most obedient,

‘ From the camp of

‘ Perth, Oct. 14.

‘ 1715.

‘ and most humble servant,

‘ M A R.’

Soon after, two letters from the earl of Mar were intercepted, and the pretender caused a declaration to be drawn up(r).

The

(r) The letters and declaration were as follow:

To the lord viscount Kenmure.
My lord,

I long extremely to hear

from you, you may be sure, since I have not had the least accounts almost of your motions, since I sent the detachment over. I hope all is pretty right again; but it was an unlucky

The rebellion being thus kindled as well in England as Scotland, it was thought proper to demand in form of the states-general, the six thousand men, which by the treaty of guarantee they were engaged to send over when required. 1715.
Dutch troops
are sent for.
Oct. 16.

The

lucky mistake of brigadier Mackintosh in marching from Haddington to Leith. I cannot but say though, that it was odd your lordship sent no orders or intelligence to him, when you had reason to expect that party's coming over every day. His retreat he made from Leith, and now from Seaton, with the help of the movement I made from this, makes some amends for that mistake; and I hope that party of men with him will be of great use to you, and the cause. I wish you may find a way of sending the inclosed to Mr Forster, which I leave open for your lordship to read; and I have little further to say to you, than what you will find in it. I know so little of the situation of your affairs, that I must leave to yourself what is fit for you to do, as will most conduce to the service; and I know you will take good advice.

My humble service to all friends, particular brigadier Mackintosh, lord Nairn, lord Charles Murray, and Mackintosh, who, I hope, are joined you long ere now; and indeed they all deserve praise for their gallant behaviour. I must not forget Kinackin, who I hear spoke so resolutely to the duke of Argyle from the citadel; and I hope Innereal and all my men with him are well; and their countrymen long to be at them, which I hope they and we shall soon. I have sent another co-

py of the inclosed to Mr Forster by sea; so it will be hard, if none of them come to his hands.

I know your lordship will endeavour to let me hear from you as soon as possible, which I long impatiently for; and I hope you will find a way of sending it safe. In one of my former, either to your lordship, or to somebody to shew you, I told, that a part of the army would be about Dumbarton. But now you would not rely on that, for, till I hear from general Gordon, I am uncertain, if they hold that way. I have sent your lordship a copy of my new commission, which perhaps you have not seen before. I have named the several general officers and your lordship has the rank of a brigadier of the horse.

I am told earl Wintoun has been very useful to our men we sent over. I suppose he is now with your lordship, and I beg you may make my compliments to his lordship; and I hope the king will soon thank him himself.

I will trouble your lordship no farther now; but all success attend you, and may we soon have a merry meeting, I am, with all respect,

My lord,

Your most obedient,

and most humble servant,

From the camp at M A R.

Perth, October

21, 1715.

To

1715.

The States immediately complied with the demand and preparations were made for transporting them. At the same time, general Cadogan represented to the States, that the king, having received advice that the pretender, James Butler

To Mr Forster, general of the king's forces in Northumberland.

Sir,

I wrote to you of the 17th from Auchteradre, which I hope you got. I marched the same night the horse to Dumblain, within four miles of Stirling, and the foot some miles short of that place. Next morning I had certain intelligence of the duke of Argyle's returning from Edinburgh with most of the troops he had carried there, and was on their march towards Stirling. I also had account of Evans's regiment landing in the west of Scotland from Ireland, and were on their way to Stirling. I had come away from Perth before the provisions were ready to go with us; and I found all the country about Stirling, where we were to pass the Forth, was intirely exhausted by the enemy, so that there was nothing for us to subsist on there. I had no account from general Gordon, as I expected; and the soonest I could expect him at the heads of Forth was two days after that; and I could not think of passing Forth till I had been joined by him. Under those difficulties and having got one of the things I designed by my march, the duke of Argyle's withdrawing from our friends in Lothian I thought fit

to march back to Auchteradre, which was a better quarter, though not a good one neither. Next morning I got intelligence of the duke of Argyle's being come to Stirling the night before, and that he had sent an express to Evans's dragoons to hasten up. I had a letter also that morning from general Gordon, telling me, that some things had kept him longer than he expected; that it would be that day ere he could be at Inverary; and that he could not possibly join me this week. Upon this I thought it better to return here, which is a good quarter, and wait his coming up, and the lord Seaforth's, than continue at Auchteradre, since it would not a bit retard my passing the Forth, when I should be in a condition to do it; and in the mean time I could be getting provisions ready to carry along with me in my march, which, as I have been told, are absolutely necessary about the heads of Forth: So I came home last night.

I very much regret my being obliged to this for many reasons, particularly because of its keeping me so much the longer from joining you; but you easily see it was not in my power to help it. However, I hope my stay here shall be very short, and you may depend upon its being no longer than it necessarily must. The passage over the Forth is now so extream difficult,

Butler late duke of Ormond, Henry St John late lord viscount Bolingbroke, and other traitors, designed to pass through their dominions, in order to go to Great-Britain and join the rebels, desired them to give orders to all the governors

of Scotland, that it is scarce possible to send any letters that way; and within these two days there were two boats coming over with letters to me, that were so hard pursued, that they were obliged to throw the letters into the sea; so that I know very little of our friends on that side, and less of you, which is no small loss to me. I heard to day by word of mouth, that the detachment I sent over are marched and joined our friends in the south of Scotland; so I hope they may be yet useful; but I hope you know more of them than I do. I have now writ to lord Kenmure, but it is ten to one, if it comes to his hands. I know not what he is doing, where he is, or what way he intends to dispose of his people: whether he is to march into England, or towards Stirling, to wait my passing Forth; and, in the ignorance I am in of your affairs below the river, I scarce know what to advise him. If you be in need of his assistance in England, I doubt not but you have called him there; but if not, certainly his being in the rear of the enemy when I pass Forth, or now that the duke of Argyle is reinforced, should he march towards me before I am, it would be of great service. I am forced in a great measure to leave it to himself to do as he finds most expedient.

I am afraid the duke of Or-

mond is not as yet come to England; else I should have had the certainty of it one way or other before now. I cannot conceive what detains him, nor the king from coming here. However, I am sure it is none of their fault; and I hope they will both surprise us agreeably very soon.

I believe I told you in my last of the lord Strathmore, and two hundred of the detachment, that were going over Forth, and drove into the island of May by three men of war, being got safe ashore on this side, and are now joined us again. There were but two of all the boats taken; and I hear some of the men, that were in them, who were made prisoners in Leith, were relieved by our men, when they came there; but that their officers were sent to Edinburgh castle; so I want some reprisals for them, which I hope to have ere long.

Though brigadier Mackintosh's mistake in going to Leith was like to be unlucky to us and them, yet it has given the duke of Argyle no little trouble; and our march obliging him to let them slip, has, I am apt to believe, vexed him.

I beg you will find some way to let me hear from you. Ever since my detachment were in Fife, all the men of war, that cruised on the north coast, betwixt Peterhead and the Firth, have been in the Firth, and I believe

1715.

vernors of the places under their dominion, to stop and examine all the king's subjects that should pass out of Germany, Lorrain, or France, and also to all the captains of ships not to take any such on board. This memorial was readily agreed to, and orders were issued accordingly.

believe, will continue there to prevent my sending more over that way ; so that all that coast is clear, which I wish to God the king knew ; and you may easily send a boat here any where with letters from England. I hear there is one of the regiments of foot come from Ireland to Stirling.

When you write to me by sea, pray send me some news papers, that I may know what the world is a doing ; for we know little of it here these eight days. Success attend you ; and I am, with all truth and esteem,

S I R,

Your most obedient

From the camp at Humble servant,
Perth, October M A R.
12, 1715.

The pretender's declaration was in the following terms :

James R.

James VIII. by the grace of God, of Scotland, England, France, and Ireland, king defender of the faith, &c. to all our loving subjects of what degree or quality soever, greeting. As we are firmly resolved never to omit any opportunity of asserting our undoubted title to the imperial crown of these realms, and of endeavouring to put ourself into the possession of that right, which is devolved upon us by the laws of God

and man ; so must we, in justice to the sentiments of our own heart, declare, that nothing in this world can give us so great satisfaction, as to owe, to the endeavours of our loyal subjects, both our and their restoration to that happy settlement, which can alone deliver this church and nation from the calamities which they lie at present under, and from those future miseries, which must be the consequences of the present usurpation. During the life of our dear sister of glorious memory, the happiness which our people enjoyed, softened in some degree the hardship of our own fate : and we must further confess, that when we reflected on the goodness of her nature, and her inclinations to justice, we could not but persuade ourself, that she intended to establish and perpetuate the peace, which she had given to these kingdoms, by destroying for ever all competition to the succession of the crown, and by securing to us at last the enjoyment of that inheritance, out of which we had been so long kept, which her conscience must inform her was our due, and which her principles must lead her to desire, that we might obtain.

But, since the time when it pleased almighty God to put a period to her life, and not to suffer us to throw ourself, as we then fully purposed to have done upon

As it would be some time before the Dutch could be embarked, Pitt's regiment of horse, and Sabine's, Preston's, and Vane's of foot, had been sent for from Ireland, and had landed at Chester the beginning of October. 1715. Regiments from Ireland. Associations

upon our people, we have not been able to look on the present condition of our kingdoms, or to consider their future prospect, without all the horror and indignation, which ought to fill the breast of every Scotsman.

We have beheld a foreign family, aliens to our country, distant in blood, and strangers even to our language, ascend the throne.

We have seen the reins of government put into the hands of a faction; and that authority, which was designed for the protection of all, exercised by a few of the worst, to the oppression of the best and greatest number of our subjects. Our sister has not been left at rest in her grave; her name has been scurrilously abused; her glory, as far as in these people lay, insolently defaced, and her faithful servants inhumanly persecuted. A parliament has been procured by the most unwarrantable influences, and by the grossest corruption, to serve the vilest ends. And they, who ought to be the guardians of the liberties of the people, are become the instruments of tyranny. Whilst the principal powers engaged in the late wars enjoy the blessings of peace, and are attentive to discharge their debts, and ease their people; Great Britain, in the midst of peace, feels all the load of a war. New debts are contracted; new armies are raised at

home; Dutch forces are brought into these kingdoms; and by taking possession of the duchy of Bremen, in violation of the publick faith, a door is opened by the usurper to let in an inundation of foreigners from abroad, and to reduce these nations to the state of a province, to one of the most inconsiderable provinces of the empire.

These are some few of the many real evils, into which these kingdoms have been betrayed, under pretence of being rescued and secured from dangers purely imaginary. And these are the consequences of abandoning the old constitution, as we persuade ourselves, very many of those, who promoted the present unjust and illegal settlement never intended.

We observe, with the utmost satisfaction, that the generality of our subjects are awakened with a just sense of their danger; and that they shew themselves disposed to take such measures, as may effectually rescue them from that bondage; which has, by the artifice of a few designing men, and by the concurrence of many unhappy causes, been brought upon them.

We adore the wisdom of the divine providence, which has opened a way to our restoration, by the success of those very measures, that were laid to disappoint us for ever. And we most earnestly conjure all our

F f 2

loving

1715. tions were also entered into throughout the kingdom, for the defence of the king's person and government; and the lords-lieutenants of the counties were empowered to form into troops or companies such as should be willing to associate,

loving subjects, not to suffer that spirit to faint or die away, which has been so miraculously raised in all parts of the kingdom; but to pursue, with all the vigour and hopes of success, which so just and righteous a cause ought to inspire, those methods, which the finger of God seems to point out to them.

We are come to take our part in all the dangers and difficulties, to which any of our subjects, from the greatest down to the meanest, may be exposed on this important occasion, to relieve our subjects of Scotland from the hardships they groan under on account of the late unhappy union, and to restore the kingdom to its antient, free, and independent state.

We have before our eyes the example of our royal grandfather, who fell a sacrifice to rebellion; and of our royal uncle, who, by a train of miracles, escaped the rage of the barbarous and blood-thirsty rebels, and lived to exercise his clemency towards those, who had waged war against his father and himself; who had driven him to seek shelter in foreign lands, and who had even set a price upon his head.

We see the same instances of cruelty renewed against us by men of the same principles, without any other reason than the consciousness of their own guilt, and the implacable malice

of their own hearts. For, in the account of such men, it is a crime sufficient to be born their king. But God forbid, that we should tread in these steps, or that the cause of a lawful prince and an injured people should be carried on like that of usurpation and tyranny, and owe its support to assassins. We shall copy after the patterns above-mentioned, and be ready, with the former of our royal ancestors, to seal the cause of our country, if such be the will of Heaven, with our blood. But we hope for better things: We hope, with the latter, to see our just rights, and those of the church and people of Scotland, once more settled in a free, independent Scots parliament, on their antient foundation. To such a parliament, (which we will immediately call) shall we intirely refer both our and their interests, being sensible, that these interests, rightly understood, are always the same. Let the civil as well as religious rights of all our subjects receive their confirmation in such a parliament. Let consciences truly tender be indulged. Let property of every kind be better than ever secured. Let an act of general grace and amnesty extinguish the fears even of the most guilty. If possible, let the very remembrance of all, which have preceded this happy moment, be utterly blotted out, that our subjects may be united

ate, and to grant commissions to them in the king's
name.

The archbishop published a declaration, signed by himself and thirteen of his suffragans, testifying their abhorrence of the rebellion. But Dr Atterbury bishop of Rochester, and Dr Smalridge bishop of Bristol, refused to sign this declaration; and a few days after, Smalridge was removed from the post of lord almoner to the king, in which he was succeeded by Dr Wake bishop of Lincoln.

1715.
Declaration
by the
bishops.

On the 25th of October, lieutenant-general Carpenter, who was appointed to go against the Northumberland rebels, set out from Newcastle with Hotham's regiment of foot, Cobham's, Moleworth's, and Churchill's dragoons; and on the 27th lay at Wooller, intending the next day, to face Kelfo, where the rebels were. The lord Kenmore, who commanded them while on the south-side of the Tweed, having notice of this, called immediately a council of war, wherein it was considered what course they should take. The lord Wintoun pressed them earnestly to

Proceedings
of the rebels.

to us, and to each other, in the strictest bonds of affection as well as interest.

And that nothing may be omitted, which is in our power to contribute to this desirable end, we do, by these presents, absolutely and effectually, for us, our heirs and successors, pardon, remit, and discharge all crimes of high treason, misprision of treason, and all other crimes and offences whatsoever, done or committed against us, or our royal father, of blessed memory, by any of our subjects, of what degree or quality soever, who shall, at or after our landing, and before they engage in any action against us, or our forces, from that time, lay hold of mercy, and return to that duty and allegiance, which they owe to us, their only rightful and lawful sovereign.

By the joint endeavours of us and our parliament, urged by

these motives, and directed by these views, we may hope to see the peace and flourishing estate of this kingdom in a short time restored; and we shall be equally forward to concert with our parliament such further measures, as may be thought necessary for leaving the same to future generations.

And we hereby require all sheriffs of shires, stewarts of stewarties, or their deputies, and magistrates of burghs, to publish this our declaration, immediately after it shall come to their hands, in the usual places and manner, under pain of being proceeded against for failure thereof, and forfeiting the benefit of our general pardon.

Given under our sign manual and privy signet, at our court of commerce, the 25th day of October, and in the fifteenth year of our reign.

J. R.
mar. h

1715.

march into the west of Scotland; but the English opposed, and prevailed against that opinion. Then it was proposed to pass the Tweed, and attack the king's troops, taking advantage of the weakness and weariness of general Carpenter's men, who were indeed extremely fatigued, and not above nine hundred men in number, whereof two regiments of dragoons were new raised, and had never seen any service. But this advice was also rejected; and the rebels decamped from Kelso, and, taking a little to the right, marched to Jedburgh. Upon this march they were all alarmed, by mistaking a party of their own men for some of general Carpenter's forces. The party appearing at a distance, captain Wogan, desirous to know who they were, went off towards the river's side, which parted them, and left Mr Patten to stand at a convenient distance from him, whilst he rid up to make a discovery. If they proved enemies, he was to fire a pistol; if friends, to toss up his hat. At the same time some of the party, wanting to know who he was, and, galloping towards him, he fired a pistol; so the alarm was taken; but the disorder was not great, the matter being soon discovered. Then they continued their march towards Jedburgh. The horse having entered the town, word was brought them, that general Carpenter had fallen upon the foot, who had not as yet reached the town. This put them into the utmost consternation. However, not being discouraged so as to abandon their fellows, they all mounted their horses, and marched out to relieve their friends. This mistake was likewise occasioned by another party of their own men, who had taken a different route, and, this being also discovered, they all returned to their quarters, and staid at Jedburgh two days.

As they had now a fair opportunity to slip general Carpenter, who was some marches behind them, it was resolved, pursuant to the advice of the English, to cross the mountains, and march into England. Accordingly captain Hunter, who was well acquainted with the country, was ordered with his troops, to go into North Tynedale, and there provide quarters for them, who would follow. But here began a mutiny; the highlanders could not be persuaded to pass the borders; and, though many persuasions were used with them, they would not stir. Upon this, the first resolution was altered, and orders were sent after captain Hunter to countermand him. They were joined in this town by Mr Ainsley of Blackhill, and some others.

From

1715.

From Jedburgh they marched to Hawick, a small market-town, belonging to the duchess of Bucclugh, at whose house, the English lords, with their relations, and Mr Forster took up their quarters. The highlanders still supposing, that the march for England was resolved on, separated themselves in disgust, and went to the top of a rising ground on Hawick Moore, and, resting their arms, declared, they would fight, if they were led on to the enemy; but would not go into England; adhering to lord Wintoun's advice, that they would go through the west of Scotland, join the clans there, and either cross the Forth some miles above Stirling, or send word to the earl of Mar, that they would fall upon the duke of Argyle's rear, whilst he fell on his front. Whilst they were in this humour, they would allow none to come and speak with them but the earl of Wintoun, who had tutored them in this project, by assuring them, if they went to England, they would be all cut to pieces, or taken and sold for slaves (s). After a dispute of two hours they were at last brought to this, that they would keep together as long as they staid in Scotland; but upon any motion of going for England, they would return back: so they continued their march to Hawick, where they were extremely straitned for quarters. Here the highlanders, who had always the guard, and did all the duty after they joined the horse, discovered from their advanced guard a party of horse (who were patrolling in their front) and, taking them for enemies, gave the alarm at midnight; and all ran immediately to arms. The moon shone, and the night was very clear; so the whole body formed themselves in a very good order to oppose any attack, that should be made. But in the end this proved another false alarm; and they all returned to their quarters. It was said, that this alarm was designed to try the highlanders, and to see how they would behave, and whether they would stand chearfully to their arms, if an enemy appeared.

The next day, they marched to Langholme, another small market-town belonging to the duchess of Bucclugh. From hence there was a strong detachment of horse sent in the night to Ecclefechan, with orders to block up Dum-

(s) During the contest, the horse surrounded the foot, in order to force them to march southwards, upon which the highlanders cocked their fire-

locks, and said, 'If they were to be made a sacrifice, they would chuse to have it done in their own country.'

1715.

fries, till they should come up and attack it. Dumfries is a rich town, situated very commodiously upon the mouth of a navigable river on the Irish sea, and maintains a considerable trade with England and the west of Scotland. Had the rebels been steady in their resolutions, they might very easily have made themselves masters of that town, there being no regular forces in it, but only trainbands, militia, and townsmen, who would not have been able to hold out, nor any fortifications to assist them in the defence of it. Here the rebels also might have furnished themselves with arms, money, and ammunition, which were much wanted, and opened a passage to Glasgow, one of the best towns in Scotland. Here likewise they might have joined the highland clans from the west, besides a great many country-gentlemen, who, on such an appearance, would have come into them; by which means they might have soon formed a considerable army, and have received succours from France and Ireland, no men of war being in all those seas at that time. They were, moreover, assured, that in Glasgow there were a great many arms in the Talbooth ready for all occasions, and a considerable quantity of gunpowder in the Tron steeple. As to the duke of Argyle, he was in no condition to have disturbed them; but, on the contrary, would have scarce thought himself safe in Stirling, his troops not exceeding two thousand men; for he had not then been reinforced by the troops from Ireland, nor the Dutch from England. But all these arguments were in vain; the English gentlemen were positive for an attempt upon their own country, pretending to have letters from their friends in Lancashire, inviting them thither, and assuring them, that there would be a general insurrection upon their appearing; and that twenty thousand men would immediately join them. Whether they had any such letters or no, is still a question; but they affirmed it to their army, and urged the advantages of a speedy march into England with such vehemence, that they turned the scale, and sent an express after the party of horse they had ordered to Ecclefechan, for to return and meet them at Largs in Cumberland. Thus the design of continuing in Scotland was abandoned. But the highlanders, whether dealt with privily by the earl of Wintoun, or being convinced of the advantages they were going to throw away, and the uncertainties they were bringing upon themselves, halted a second time, and would march no farther. However, their leaders were again

again prevailed with to march by promises, and distributing money to the men. But many of them were still positive, and that to such a degree, that they separated, and about five hundred went off in bodies, choosing rather, as they said, to surrender themselves prisoners, than to go forward to certain destruction. All imaginable means were used to prevent this desertion; but nothing could prevail with them to alter their resolutions; for they retired in parties over the mountains. The earl of Wintoun went off likewise with part of his troop, very much dissatisfied at the measures, and declaring they were taking the way to ruin themselves. However, in a little time he returned and joined the body, though not at all satisfied with their proceedings; and was never after called to any council of war, which incensed him extremely against the rest of the lords and commanding officers. They left the small pieces of cannon, which they had brought from Kelso, at Langholme, having nailed them up, and made them unfit for service. Then they marched that night to Langtoun, about seven miles from Carlisle, which was a very long and fatiguing march. Here they had intelligence that brigadier Stanwix, with a party of horse from Carlisle, had been there that day to get intelligence of their numbers and motions; but that, upon notice of their coming towards him, he had retired to his garrison, which then consisted of very few men, having made Mr Graham of Inchbrachy a prisoner. This night the party ordered to Ecclefechan returned and joined the rebels. Next day they entered England, and marched to Brampton, a small market-town, belonging to the earl of Carlisle. Here they proclaimed the pretender, and Mr Forster opened his commission (brought by Mr Douglas from the earl of Mar) to act as general in England. From this time the highlanders had six-pence per day paid them, to keep them in good order, and under command. The rebels halted one night at Brampton, to refresh the men, having marched above one hundred miles in five days. On the 2d of November they advanced to Penrith, where they expected to have met with some friends to join them; for it was reported, that Mr Dacre of Abbeylanner-coast, a papist, had promised to raise forty men; but he was prevented by a fever. As they drew near Penrith, they had notice, that the sheriff, with the lord Lonsdale, and the bishop of Carlisle, had drawn together the whole posse of Cumberland, amounting to about 12,000 men, in order to oppose their

1715.

Nov. 3.

their progress. The first part of this was very true, that the posse was drawn together; nor was their number much less. But they gave the rebel army no occasion to try, whether they would stand or not; for, upon notice of the approach of the rebels, they shamefully dispersed, leaving the lord Lonsdale, with about twenty men besides his own servants, who continued on the spot till the rebels appeared, and then he retired. A party was sent to Lowther-Hall to see for him, but he was not to be found. This retreat animated the rebels, who made some booty, taking several horses and a great many arms. Having staid at Penrith that night, they marched next day to Appleby, where they halted again. On the 5th of November they marched to Kendal, and on the 6th to Kirby-Lonsdale, a small market-town in Westmorland, where some few papists, and their servants, from Lancashire, joined them (t). From this place they marched to Lancaster on the 7th where the famous colonel Chartres and another officer happened to be. Upon the news of their approach, the colonel proposed to blow up a fine bridge, over which they were to pass, to obstruct their entry into the town; but the inhabitants would not agree to it. The colonel therefore thought it adviseable to leave the town, after having ordered some barrels of powder to be thrown into a well, to prevent their falling into the hands of the rebels. The rebels, having entered Lancaster without opposition, performed the usual ceremonies of proclaiming the pretender, and levying the publick revenue. It was thought they would have continued here till they had received the promised succours, the place being easily made tenable against a greater force than the government could command on a sudden: but they were in a great hurry to meet their fate, and left Lancaster on the 9th, carrying with them six pieces of cannon, which they found there. They directed their march towards Preston, where the horse arrived that night, but the foot halted half way. The horse entered Preston without any opposition; Stanhope's regiment of dragoons, and a regiment of militia, having thought proper to retire on

(t) It is to be observed, there were no papists of any account had yet joined them in their march; for all the papists on that side the country had been secured in the castle of Carlisle,

as Mr Howard of Corbeecastle, Mr Warwick of Warwick-hall, Mr James Graham of Inchbracky, and Mr Henry Curwen of Workinton.

the approach of the rebels, which did not a little animate them to see the royal troops thus fly before them. At Preston they were joined by a considerable number of gentlemen and their followers, all papists; which very much disgusted the Scots gentlemen and highlanders, because they were made to believe, that all the high-church party would join them. The rebels had once resolved to march out of Preston the next day, in order to enter Manchester; where they expected to meet with a considerable reinforcement, and to possess themselves of Warrington-bridge, which would have made them masters of the rich town of Liverpool. But this design, like all others, that had any shew of prudence, was laid aside for two days, by which time they found themselves otherwise employed.

It is now time to observe what motions the king's troops made to oppose the rebels, who had thus given general Carpenter the slip. Proceedings
of the king's
forces.

While it was yet uncertain which way the rebels would direct their march, the duke of Argyle sent a detachment from his small army at Stirling, to hinder their passing the head of Forth, if they should attempt that way to join the earl of Mar. A squadron of dragoons, and one battalion of foot of this detachment, were quartered at Falkirk, and two hundred dragoons at Kilsyth.

General Carpenter, upon intelligence, that the rebels were in full march towards Lancaster, resolved to pursue them with the dragoons only, for the greater expedition; not doubting but he should be joined by the king's troops in the West; in which he was not mistaken; for general Willes, who had been sent down some days before to command in the West, having intelligence at Chester, that the rebels were advancing towards Lancaster, gave orders for all the troops, quartered in those parts, to assemble at Warrington, on the borders of that country. When he arrived there, he found only Preston's regiment. With that he set out, on the 8th of November, and, the same day, arrived at Manchester, where he had intelligence that general Carpenter was on his march from Durham to Lancaster, to whom he sent an express, to acquaint that general of his own motions, that they might act in concert. He marched from Manchester the 11th, with the regiments of dragoons of Wynne, Honeywood, Munden, and Dormer, and Preston's regiment of foot, and advanced directly to Wiggan, where Pitt's horse and Stanhope's dragoons were quartered. Understanding here, that the rebels were
still

1715.

still at Preston, he gave orders for the troops to be ready to march towards that place next morning, by break of day. He formed the horse into three brigades, Wynne's and Honeywood's under the command of brigadier Honeywood; Munden's and Stanhope's, under the command of brigadier Munden; Pitt's and Dormer's, under the command of brigadier Dormer.

On the 12th of November, the troops began their march in the following order: a captain and fifty men of Preston's foot, sustained by a captain and fifty dragoons, formed the vanguard: Preston's regiment followed brigadier Honeywood's brigade; next Dormer's; and Munden's in the rear; and the baggage in the rear of all. In this order they marched to the bridge of Ribble, where we shall leave them, to observe what preparations were made for their reception by the rebels.

The same morning general Forster gave orders for his army to march, not in the least suspecting the king's troops, and the destruction of all their hopes, were so near at hand. He had depended on the intelligence from the Lancashire gentlemen, who had promised, that none should advance within forty miles without his knowledge; but it seems, they disappointed him; so that he was under the greatest surprize, when he was informed from all hands, that general Willes was within sight of him. He went out with a party of horse to view the posture of the king's troops; and, upon finding they were in full march towards him, he returned to the town to prepare for their reception.

The battle
of Preston.

His men were no ways discouraged, but chearfully set about the preparations for their defence. They barricadoed the avenues, and posted their men in the streets and by-lanes, and such houses, as were properest for galling their enemies. The gentlemen volunteers were posted in the church-yard, under the command of the earls of Derwentwater, Wintoun, and Nithsdale, and the lord Kenmure. General Forster formed four main barriers; the first a little below the church, commanded by brigadier Mackintosh, and supported by the gentlemen-volunteers in the church-yard. The second was situated at the end of a lane leading to the fields, and commanded by lord Charles Murray. The third barrier was near a wind-mill, and commanded by the laird of Mackintosh. And the fourth was in the street leading to Liverpool, commanded by major Millar and Mr Douglas. They threw up several intrenchments in an instant, and did all in their power to make a stout resistance;

sistance; but were guilty of one capital error, which discovered their ignorance, or rather infatuation. For in the morning, upon the first intelligence of general Willes's approach, they had detached Macpherson of Innercal, lieutenant-colonel of the earl of Mar's regiment, with an hundred chosen men, to take post at the bridge of Ribble, which was the only pass the king's troops could enter on that side, the river being fordable only in two places, the one below, and the other above the bridge, and these fords easily made unpassable. The bridge terminates a long narrow lane, where, in some parts, not above two can ride abreast. This is the famous lane, where Oliver Cromwell met with a stout resistance from the king's troops, who having rolled down several large stones from the height upon him and his men, one of them came so near, that he escaped only by making his horse jump into a quick sand. But Mr Forster, instead of making advantage of this pass, which he might have done to the destruction of the king's troops, (whom he might have very much annoyed by the help of his cannon, while they lay exposed without any cover) ordered this detachment to return to the town, and left the pass free for general Willes.

When general Willes came up to the bridge in the fore-mentioned order, he expected to have met with great difficulties in forcing the pass; but, finding it abandoned, he was much surprized, and suspected some stratagem; and therefore resolved to proceed with caution. Having viewed the hedges, and laid open the ways for the cavalry to enter, he found all clear, and not the least appearance of an enemy. This made him conclude, they had abandoned the place, and were endeavouring, by long marches, to return to Scotland; but in this he was likewise mistaken. For, upon his advancing near the town, he found them in a posture to give him a warm reception, in a place, where he could easier come at them, than he could at the bridge of Ribble. He immediately prepared for an attack, and disposed his troops in such a manner, as he might best annoy them in the town, and prevent their making an escape.

The general having viewed the disposition of the enemy, and finding all the avenues leading to the town strongly barricaded, and two pieces of cannon planted on each; he resolved to make two attacks. For the attack of the avenue, that leads to Wiggan, a captain and fifty dragoons were draughted out of each of the five regiments, with a major and lieutenant-colonel to command them, and ordered to dismount

1715. dismount to sustain Preston's regiment commanded by the lord Forrester, their lieutenant-colonel; and Honeywood's regiment was ordered to remain on horseback, to sustain the whole; and the brigadier of that name had the direction of that attack.

The regiment of Wynne and Dormer, and a squadron of Stanhope's, were ordered to dismount under the command of brigadier Dormer, while the regiments of Pitts and Munden, and the remaining squadron of Stanhope's sustained them in the attack of the avenue, that leads to Lancaster, lying on that side of the town opposite to the attack of the avenue leading to Wiggan. By the disposition of the king's forces, the four chief barricades of the enemy were easily attacked, but not with desired success.

The first attack was upon that barricade below the church, commanded by the old brigadier Mackintosh, who received the king's troops very gallantly; and with a terrible fire, both from the barricade and the houses, obliged them to retire to the end of the town; at the same time the lord Forrester, lieutenant-colonel of Preston's foot, entered the avenue of Wiggan, and took possession of two large houses within fifty yards of the barricade, where he posted his men, finding it impracticable to force the barricade; but from these houses, which overlooked the whole town, he very much annoyed the enemy; and from thence, it is said, they received most of the damage they sustained during the action. These houses had been possessed by the highlanders, when the barricade was commanded by Mackintosh; but they were called off by him to support that barricade, which gave the king's troops an easier possession of them, and perhaps saved the remains of that regiment, which suffered very much in that bold attack. General Honeywood ordered the houses between those he possessed and the barricade to be set on fire; which was not done without the loss of men on both sides. He likewise ordered breast-works to be thrown up, both to secure his men, and prevent the rebels from escaping at that quarter of the town.

The other barricades were attacked with great resolution, but without any success; the king's troops being obliged to retire to the ends of the town, and remain satisfied till they could renew their attempts the next day; for by this time night hindered their farther approaches. Thus far the rebels appeared to have acted with courage, and to have had the advantage, since they had, in all the attacks, repulsed their

their enemies with little or no loss on their side, and considerable slaughter on the king's. But they did not long continue in this disposition; for having intelligence next morning, that general Carpenter had arrived with more troops to surround them, their resolution failed them, and from that moment they acted with great confusion and despair.

General Carpenter arrived at Preston on the 13th, at ten in the morning, with three regiments of dragoons, lord Cobham's, Churchhill's and Moleworth's, accompanied by the earl of Carlisle, lord Lumley, and colonel Darcy; ordering Moleworth's to the Manchester side, and marching the other two to the Lancaster side. He found, that the rebels had been attacked the day before without success, and that most part of the king's horse and dragoons were crowded in a deep narrow lane near the end of the town, so incommodious, that it was impossible to draw up above three or four in front; and, going to view the ground towards the river, he saw there were no troops posted at the end of Fisher-gate-street, to block up that part of the town, where several of the rebels were said to have escaped the night before. This street leads to a marsh or meadow, which joins to that part of the river Ribble, where there are two good fords, being the high road towards Liverpool; and, towards the end of the same street, there was another barricade with two pieces of cannon. General Carpenter therefore ordered colonel Pitt to post his two squadrons on that marsh; and, going back to the end of the town, he ordered communication to be made for the troops to assist each other, in case of a sally. The rebels, being thus invested on all sides, and being now sensible, though too late, of their condition, began to consider what was to be done. The Highlanders were for sallying out upon the king's forces, and dying, as they called it, like men of honour, sword in hand; but they were over-ruled, and not allowed to stir. Nor was the motion communicated to the whole body; but general Forster (prevailed upon by lord Widdrington, colonel Oxburgh, and some few others) resolved upon a capitulation, flattering themselves with obtaining good terms from the king's officers. Colonel Oxburgh, pretending acquaintance with some of them, made an offer to go out, and treat of a surrender. Accordingly, he went with a trumpet to general Willes, and offering to lay down their arms, and submit themselves, hoped he would recommend them to the king's mercy. The general told
the

17:5. the colonel, he would not treat with rebels; for they had killed several of the king's subjects, and they must expect to undergo the same fate. The colonel said, as the general was a man of honour, and an officer, he hoped he would shew mercy to people, who were willing to submit. The general replied, All he would do for them was, that, if they laid down their arms, and submitted prisoners at discretion, he would prevent the soldiers from cutting them in pieces till he had farther orders; and he would give them but an hour to consider of it. Colonel Oxburgh returned into the town, to acquaint Mr Forster with this; and, before the hour was expired, there came out Mr Dalziel, brother to the earl of Carnwarth, who wanted terms for the Scots. The general's answer was, that he would not treat with rebels, nor give them any other terms than what he had before offered them. Upon which the general was desired to grant farther time till seven o'clock next day, to consult the best method of delivering themselves up. The general agreed to grant them the time desired, provided they threw them up no new intrenchments in the streets, nor suffered any of their people to escape, and sent out the chief of the English and Scots as hostages for the performance. The general sent in colonel Cotton to bring them out, who accordingly brought out the earl of Derwentwater and brigadier Mackintosh. The next day, about seven in the morning, Mr Forster sent out to let the general know, that they were willing to give up themselves prisoners at discretion, as he had demanded. Brigadier Mackintosh, being present when this message was brought, said, He could not answer, that the Scots would surrender in that manner; for that they were people of desperate fortunes; and he had been a soldier himself, and knew what it was to be a prisoner at discretion. Upon this the general said, 'Go back to your people again; and I will attack the town, and the consequence will be, I will not spare a man of you.' The brigadier went back, but came running out immediately again, and said, 'The lord Kenmore, and the rest of the noblemen, with his brother, would surrender in like manner, with the English.'

General Carpenter entered one side of the town, and general Willes the other, with all their troops, with trumpets sounding, drums beating, and colours displayed. They both met in the middle of the town, where the Highlanders were drawn up under arms. The noblemen and gentlemen were first secured in several inns, and the Highlanders then

laid down their arms in the place where they were standing; and they were next secured under a sufficient guard. 1715.

General Carpenter, finding the place too narrow to contain all the horse, that was with him, sent part of them to Wiggan the same day, and went away himself the next, Nov. 24. leaving general Willes to command in his absence.

Mr Forster was by most people blamed for the surrender, without obtaining better terms for those, whom he had drawn into this enterprize. His want of skill was acknowledged on all hands; and this was what he could be least blamed for, since he was made general, as the only protestant of note of the party. But, though he was nominal general, he depended mostly upon the conduct of colonel Oxburgh, who had gained in foreign service the reputation of an experienced officer. Others did not scruple to charge Mr Forster with treachery as well as want of capacity, and pretend to say, that, if the king's general had not been sure of him beforehand, he would have granted more generous terms to the rebels; and they bring his escape out of Newgate as a proof of this surmise; supposing, that a prisoner of his distinction would have been better looked after, if the government had not been under an obligation to connive at his escape. But there seems to be little ground for such a suspicion, especially as the pretender himself did not credit it, but held Mr Forster afterwards in great esteem and confidence.

In the attack upon Preston, brigadier Honeywood received a contusion on the shoulder by a musket-shot, and major Bland a slight one in the arm; and his horse was shot through the neck. There were killed at brigadier Honeywood's attack two captains, one ensign, and twenty-eight private soldiers; wounded, lord Forrester, major Lawson, two captains, one lieutenant, four ensigns, and fifty private men. At brigadier Dormer's attack there were nine men killed; wounded, the brigadier, one captain, one lieutenant, one cornet, and thirty-nine men (u).

(u) The prisoners of note English and Scots were as follows;

ENGLISH,

Mr Forster, the general,
The earl of Derwentwater,
The lord Widdrington,
Mr Edward Howard, brother
of the duke of Norfolk,
VOL. VI.

Upon
Mr Charles Radcliffe, brother
of the earl of Derwentwater,
Charles and Peregrine Widdrington, brothers of the
lord Widdrington,
Walter Tankard,
John Thornton of Netherwriton,
John Clavering of Cailey,
G g Ni.

1715.

Proceedings
of the duke
of Argyle.

Upon the very day, the rebels agreed to surrender themselves at Preston, was fought the battle of Dumblain. The earl of Mar, being now joined by all the power he could expect from the earl of Seaforth and all his northern Clans, and

Nicholas Wogan,
Charles Wogan,
John Talbot,
Robert Talbot,
Roger Salkeld,
George Collingwood,
John Hunter,
Edward Ord,
William Tunstall, paymaster,
William Shaftoe of Pavington,
John Shaftoe, his son,
Edward Shaftoe,
Edward and James Swinburn,
brothers of Sir William Swinburn,
George Gibson, jun. of Stonecraft,
Edward Byers,
Richard Stockart,
William Charleton,
Edward Charleton,
Charles Charley,
Richard Charley,
Ralph Standish of Standish,
Sir Francis Anderton of Lestock,
Richard Townley of Townley,
John Dalton,
John Labourn,
Gabriel Hestedt,
Cuthbert Hestedt,
Thomas Walton,
Edward Tesley,
Thomas Errington,
Philip Hudson,
James Talbot,
Alexander Deasinefs,
Lyon Walden,
John Masterfon,
George Sanderfon,
George Budding,
Robert Cotton of Gidding in Huntingdonshire,
John Cotton, his son,

Richard Gascoigne,
John Hunter,
William Hardwick,
Thomas Butler,
Robert Patten,
William Cafton,
Thomas Lisse,
Thomas Forster,
William Raine,
Thomas Riddle,
Henry Widdrington,
Richard Ord,
William Sanderfon,
John Towle,
John Hotherfalt,
Francis Thornbuck,
John Heale,
Edward Mackey,
Henry Oxburgh,
William Dobfon,
John Beaumont,
John Crofts.

S C O T S.

The earl of Nithisdale,
The earl of Wintoun,
The earl of Carnwarth,
The lord viscount Kenmere,
The lord Nairn,
The master of Nairn,
Lord Charles Murray,
Major Basil Hamilton,
George Seton of Barne,
Captain James Dalziel,
Brigadier Mackintosh,
Colonel Stuart,
William Erring,
Alexander Forrester,
William Grierfon,
William Calderwood,
Robert Maclean,
Robert Carruthers,

Andrew

and by the troops under general Gordon, thought himself strong enough to put his design in execution of passing the Forth, joining his southern friends, and marching into England. To this purpose he summoned a general council of war, where all their measures were concerted for this enterprize. Accordingly he left colonel Balfour governor of the town of Perth, with a guard sufficient, and, being furnished with provisions, artillery, and all other necessities for a long march, he set out on the 10th of November for Auchterardire, there to draw his army together, of which he made a general review that day at that place, and rested the 11th.

The duke of Argyle, having intelligence of the motion of the enemy, was at no uncertainty what to do. He knew, if he was to dispute their passage over the Forth at

Andrew Cashie,
Mr Lochart,
James Skeen,

Walter Riddle,
Richard Harris,

| | | |
|---|-----------|-----|
| The English noblemen and gentlemen of the | } | |
| English taken prisoners | — — — — — | 75 |
| Their servants or followers | — — — — — | 83 |
| Private men in the church at Preston | — — — — — | 305 |
| Total English | — — — — — | 463 |

| | | |
|--|-----------|------|
| Scots noblemen, officers, and gentlemen tak- | } | |
| en prisoners | — — — — — | 143 |
| Their vassals, &c. | — — — — — | 862 |
| Total Scots | — — — — — | 1005 |

| | | |
|--------------------|-----------|-----|
| English in Preston | — — — — — | 463 |
| Taken in Lancaster | — — — — — | 4 |
| | — — — — — | 467 |

| | | |
|--------------------|-----------|------|
| Scots in Preston | — — — — — | 1005 |
| Taken at Lancaster | — — — — — | 17 |
| | — — — — — | 1022 |

| | | |
|-------------------------|-----------|------|
| Total English and Scots | — — — — — | 1489 |
|-------------------------|-----------|------|

1715. the heads of that river, his horse on which he placed his whole dependence, would be of no service to him in that place. He chose therefore to engage the earl on the grounds about Dumblain, where he might employ all his forces (x). He likewise had intelligence, that on the 12th at night the enemy designed to incamp at Dumblain. Therefore, judging it of importance to possess that place, on the 12th in the afternoon he ordered his whole army to pass the river at Stirling-bridge, and incamped that night with his left at Dumblain, and his right towards Sheriff-Moor. The enemy advanced the same night within two miles of the royal army; and having received intelligence, that the duke with his whole army was in possession of Dumblain, they drew up in order of battle, and remained in that posture under arms till break of day.

Battle of
Dumblain,
Nov. 13.

On the 13th in the morning both armies were in motion, and the duke of Argyle advanced to a rising ground, to take a view of the rebel army, which he could easily discern in full march towards him. But another hill on his left intercepted his view of the whole extent of their

(x) On the 23d of October, the duke of Argyle had notice that a party of the rebels, consisting of two hundred foot, and a hundred horse, were marching by Castle-Campbell towards Dumferling. Upon this intelligence, his grace immediately sent off a detachment of dragoons, under the command of colonel Cathcart, who came up with the rebels the 24th, at five o'clock in the morning: and after having killed and wounded several of them, took seventeen prisoners; amongst them the following gentlemen:

Mr Murray, brother to the laird of Aberkenny.
Mr Hay, son to Arboth.
Mr Patrick Gordon, Arbertour's eldest son.
Alexander Forbes, son to Buffle.

William Robertson, brother to Donshills.

Mr Kenloch, a physician.

Alexander Smith.

Mr Alexander Gordon.

Francis Gordon of Craig.

Mr Hamilton of Gibitown in Strabogie.

George Gordon of the mill of Kilcardine.

The same evening colonel Cathcart returned to the camp at Stirling with his prisoners. A few days after, a detachment sent by the earl of Hlay into Lorn, to intercept about four hundred of the earl of Broadalbin's men, who were in motion to join the rebels, having surrounded them, obliged them to separate and return to their several habitations.



Aikman pinx.

In the Collection of Mr. Anthony Wescott Bar. J. S. Millon sculp.

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left wing; for which reason it was impossible for him to guess at the true extent of their line, or how far they out-flanked him.

1715.

The duke's army amounting to three thousand five hundred men, of which one thousand two hundred were dragoons, was drawn up upon the heights above Dumblain to the north-east of that place, which lay about a mile and a half from his left, and a wet boggy morafs, called Sheriff-Moor, on his right.

The order of the royal army was thus: the first line was composed of six battalions of foot in the centre, with three squadrons of dragoons upon the right and left. The second line was composed of two battalions of foot, and two squadrons of dragoons on each wing. The duke commanded the right; general Witham the left; and major-general Wightman the main battle or centre.

The earl of Mar's army, amounting to about nine thousand men, were drawn up in the following order: the first line was composed of ten battalions of foot, consisting of the clans commanded by the captain of Clanronald, Glangarry, Sir John Maclean, and Campbell of Glen-Lyon on the right; there were three squadrons of horse, the Stirling squadron, which carried the pretender's standard, and two of the marquis of Huntley's: on the left were drawn up the Perthshire and Fifeshire squadrons. The center of the second line was composed of three battalions of the earl of Seaforth's, two battalions of the marquis of Huntley's, the battalions of the earl of Panmure, marquis of Tullibardine, lord Drummond and Strowan, all commanded by their respective chiefs, except that of Drummond, commanded by the viscount of Strathallan and Logie-Almond. The earl Marischal's squadron was on the right, and that of Angus on the left.

The earl of Mar, who knew that his number far exceeded the duke's, extended his lines as far as possible, with a design to take him in flank, and marched up to him in this disposition.

The duke of Argyle, who till now supposed, that the morafs of Sheriff-Moor was unpassable, saw, that the two or three nights frost had made it capable of bearing; and the rebels coming down the moor with intent to flank him, having their right much extended beyond the point of his left; he found himself obliged to alter the disposition of his front, to prevent his being surrounded; which, on account of the scarcity of general officers, was not done so

THE HISTORY

expeditiously, as to be all formed again before the rebels began the attack.

The left wing of the dukes small army fell in with the centre of their's, which consisted, especially the first line, of the flower of the rebel army.

They began the action by a general discharge of their fire-arms, and received the first fire of the royal troops without shrinking; but the captain of Claunonald, who led them on in chief, was killed, which had like to have struck a damp upon them. But Glengary, who succeeded him, starting from the lines, waved his bonnet, and cried three or four times revenge; which so animated the men, that they followed him close up to the muzzles of the muskets, pushed aside the bayonets with their targets, and with their broad swords did great execution.

The three battalions of foot, on the left of the duke's centre, behaved gallantly, and made all the resistance they could; but being unacquainted with this way of fighting, they were forced to give ground, fell in among the horse, and helped the enemy to put them in confusion; so that a total route of that wing of the royal army ensued. General Witham, with some of the horse, riding full speed to Stirling, gave out that all was lost; but the general was mistaken in that, as well as in the opinion he formed of the men he run from, that morning before the engagement.

Upon the right wing of the king's army, the duke of Argyle commanded in person, and, at the head of Stair's and Evans's dragoons, attacked the enemy's left, consisting chiefly of horse, with such intrepidity, that, notwithstanding the rebels shewed they wanted neither courage nor inclination to stand, yet were obliged to give way, and were put into confusion. The duke pursued them towards the river Allan, which he was forced to do, in regard that, tho' the distance is not above two miles, yet in that space they attempted to rally again above ten times; and, whenever the ground afforded them any advantage, endeavoured to make a full stop; so that the duke having to do with troops of that disposition, who likewise out-numbered him, was obliged to follow his blow, lest he should have lost the advantage he had gained. Nor was it in his power to succour the left, the rout of that wing happening so suddenly, and the officer, who commanded, leaving the field almost at the first fire of the

rebels,

rebels, there was no opportunity to rally the broken troops a second time.

Brigadier Wightman followed close after the duke with three battalions of foot, and ran a very great risque of faring in the same manner with the rest, if the rebels had but had common prudence; for, no sooner their right understood the disaster of their left, than they formed again, and returned back to the field following close on the rear of Wightman's battalions, to the number of five thousand. Some say, that body was led on by general Gordon, others by general Hamilton, others by both; and others, and indeed with more probability, say, they were headed by Glengary; and that he, upon being ordered to attack these battalions, returned for answer, That the clans had done enough; and that he would not hazard them to do other people's work (meaning the horse) and remained upon a hill, where he seemed to form his men, as if for some new action.

The duke, having by this time intirely broke their left, and pushed them over the river Allan, returned to the field; and Wightman, facing again to the right, took possession of some inclosures and mud walls which would serve for a breast-work, in case they were attacked, as they judged by the countenance and number of the enemy they should. In this posture both armies stood looking at one another, but neither caring to engage; when towards evening the duke drew off towards Dumblain, and the enemy towards Ardoch, without molesting one another (y).

The

(y) This is the account of the duke of Argyle's historian, to which it may be proper to add those which were published by a kind of authority on all sides. The first is colonel Harrison's account, who was sent express to the king by the duke of Argyle.

The duke of Argyle being informed, on the 12th, that the rebels had come to Auchterardire with their baggage, artillery, and a sufficient quantity of bread for a march of many days, found he was obliged, ei-

ther to engage them on the grounds near Dumblain, or decamp, and wait their coming to the head of the Forth. He chose the first on many accounts, and, amongst others, that the grounds near Dumblain were much more advantageous for his horse than those at the head of the river: and besides this, by the frosts then beginning, the Forth might become passable in several places, which the small number of his troops did not inable him to guard sufficiently. He likewise received advice,

1715.

The day after the engagement, the duke of Argyle returned to the field of battle, and carried off the wounded, and four pieces of cannon left by the rebels, to Stirling, where he retired with all his army.

The

that the 12th at night the rebels designed to incamp at Dumblain; upon which, judging it of importance to prevent them by possessing that place, he marched the 12th in the forenoon, and incamped with his left at Dumblain, and his right towards Sheriff Moor. The enemy stopped that night within two miles of Dumblain. Next morning his grace, being informed by his advanced guard, that the rebels were forming, rode to a rising ground, where he viewed the enemy distinctly, and found, as they pointed their march, they designed strait upon his flank. The moor to our right, was the preceding night unpassable, and guarded us from being flanked on that side; but by the frost was become passable. His grace therefore ordered his troops to stretch to the right in the following order: three squadrons of dragoons upon the right and left in the front line, and six battalions of foot in the centre, and second line was composed of two battalions in the centre, and one squadron upon the right, and another upon the left, and a squadron of dragoons behind each wing of horse in the first line. As the right of our army came over against the left of the rebels, which they had put to a morass, his grace, finding they were not quite formed, gave orders immediately to fall on, and charged both their horse and

foot. They received us very briskly, but, after some resistance, were broke through, and were pursued above two miles by five squadrons of dragoons, the squadron of volunteers, and five battalions of foot. When we came near the river Allan by the vast numbers of rebels we drove before us, we concluded it an intire rout, and resolved to pursue as long as we had daylight. The pursuing to the river Allan had taken up a long time, by reason of the frequent attempts they made to form in different places, which obliged us as oft to attack and break them, when they were in part passed, and others passing the Allan. Major-general Wightman, who commanded the five battalions of foot, sent to acquaint the duke of Argyle, that he could not discover what was become of our troops on the left; and that a considerable body of the rebels, horse and foot, stood behind him. Upon that his grace halted, formed his troops, and marched towards the hill, on which the rebels had posted themselves.

Hereafter his grace extended his right towards Dumblain, to give his left an opportunity of joining him. There we continued till it was late, and, not finding our left come up, his grace marched slowly towards the ground he had formed on in the morning. So soon as it was dark, the rebels, who continued

The prisoners of most note taken by the king's forces were the lord Strathallan, the lords Barrowfield, Logie, Drummond, Mr Murray of Auchtertyre, the viscount of Strathallan's brother, Mr Drummond of Drumquhany, Mr Ross, son to the archbishop of St Andrew's, colonel Mac-

continued undispersed on the top of the hill, moved to Ardoch. About an hour after our troops, which had been separated from the duke of Argyle, joined his grace. Our dragoons on the left, in the beginning of the action, charged some of the horse on the right, and carried off a standard; but at the same time the rebels pressed so hard on our battalions on the left, that they were disordered, and obliged to fall in among the horse. The rebels by this means, cut off the communication betwixt our left and the other body; and they being informed, that some of the rebels were endeavouring to get to Stirling, the troops on our left retired beyond Dumblain, to possess themselves of the passes leading there. We have, as yet, no certain account of the numbers killed; but it is reckoned they may be about eight hundred, among whom there are several persons of distinction. The quality of the prisoners is not yet fully known; only that the viscount of Strathallan, two colonels, two lieutenant-colonels, one major, nine captains, besides subalterns, are brought to Stirling. We have likewise carried off fourteen colours and standards, four pieces of cannon, tumbrels with ammunition, with all their bread-waggons. This victory was not obtained without the loss of some brave men on our side. The

earl of Forfar's wounds are so many, that his life is despaired of. The earl of Hly, who came half an hour before the action, received two wounds, the one in his arm, and the other in his side; but, the bullet being cut out of his side, it is hoped he is past danger. General Evans received a cut in his head. Colonel Haley was shot through the body, but there is hopes of his recovery. Colonel Lawrence is taken. Colonel Hummers and captain Armstrong, aid-de-camp to the duke of Argyle, are killed. The courage of the king's troops was never keener than on this occasion, who, though the rebels were three times their number, yet attacked and pursued them with all the resolution imaginable. The conduct and bravery of the generals and inferior officers contributed much to this success; but, above all, the great example of the duke of Argyle, whose presence not only gave spirit to the action, but gained success as often as he led on. The troop of horse volunteers, which consisted of noblemen and gentlemen of distinction, shewed their quality by the gallantry of their behaviour; in a particular manner the duke of Roxburgh, the lords Rothes, Haddington, Lauderdale, Loudoun, Belhaven, and Sir John Shaw.

Major-

1715. Mackenzie of Keldin, &c. with several captains, subaltern officers, and private men, amounting in all to the number of about eighty.

The

Major-general Wightman's account was as follows:

Stirling, Nov. 14, 1715,
at eleven at night,

Last Friday I arrived from Edinburgh, where I had finished all the works and barricadoes, that I had ordered to do for the security of that town; and, as soon as I came to his grace the duke of Argyle, he told me he was glad to see me; and that, as he intended to make a march towards the enemy the next morning, he had sent an express to Edinburgh for me. Accordingly on Saturday the 12th instant our whole army marched over the bridge of Stirling towards the enemy, who lay at a place called Bardoeh, about seven miles from this place; and in the evening our army came within three miles of the enemy's camp. We lay all that night on our arms, and the next morning, being Sunday, I went with his grace where our advanced guard was posted, and had a plain view of the rebels army all drawn up in line of battle, which consisted of nine thousand one hundred men. They seemed to make a motion towards us; upon which the duke ordered me immediately back to put our men in order; and soon after his grace ordered them to march to the top of a hill against the enemy: but before all, or not above half our army was

formed in line of battle, the enemy attacked us. The right of their line, which lay in a hollow way, vastly out-winged us, which was not perceived by us, nor possible for us to know it, the enemy having possession of the brow of the hill; but the left of their army was very plain to our view, the moment we got to the top of the hill. Not half our men were come up, or could form. The enemy, that were within little more than pistol-shot, began the attack with all their left upon our right. I had the command of the foot; the enemy were highlanders, and, as it is their custom gave us fire, and a great many came up to our noses sword in hand: but the horse on our right, with the constant fire of the platoons of foot, soon put the left of theirs to the rout; the duke of Argyle pursuing, as he thought, the main of their army, which he drove before him above a mile and a half over a river. As I marched after him as fast as I could with a little above three regiments of foot, I heard great firing on our left, and sent my aid de-camp to see the occasion of it, and found, that the right of the enemies army, that lay in the hollow way, and were superior to that party of the army, which we had beaten, was fallen upon our left with all the fury imaginable; and, as our men were not formed, they cut off just the half of our foot, and

The earl of Forfar, the laird of Glenkindy, and lieutenant-colonel Lawrence, were all the men of note, who were

and the squadrons on our left, The duke, who pursued the enemy very fast, was not apprised of this; and, as he had ordered me to march after him as fast as I could, I was obliged to slacken my march, and send to his grace to inform him of what had happened. I kept what foot I had in perfect order, not knowing but my rear might soon be attacked by the enemy that had beat our left, which proved to be the flower of our army. At last, when the duke had put to flight that part of the rebel army, he was engaged with, he came back to me, and could not have imagined to see such an army as was behind us, being three times our number; but, as I had kept that part of our foot, which first engaged, in very good order, his grace joined me with five squadrons of dragoons, and we put the best face on the matter, to the right about, and so marched to the enemy, who had defeated all the left of our army. If they had had either courage or conduct, they might have intirely destroyed my body of foot; but it pleased God to the contrary. I am apt to conjecture their spirits were not a little damped by having been witnesses, some hours before, of the firm behaviour of my foot, and thought it hardly possible to break us. We marched in a line of battle, till we came within half a mile of the enemy, and found them ranged on

the top of a hill, on very advantageous ground, and above four thousand in number. We posted ourselves at the bottom of the hill, having the advantage of ground, where their horse could not well attack us; for we had the convenience of some earth walls or ditches about breast high, and, as evening grew on, we inclined with our right towards the town of Dumblain, in all the order that was possible. The enemy behaved like civil gentlemen, and let us do what we pleased; so that we passed the bridge of Dumblain, posted ourselves very securely and lay on our arms all night. This morning we went with a body of dragoons to the field of battle, brought off the wounded there, and came to this town in the evening. General Webb's late regiment, now Morrison's, is one of the unfortunate regiments that was not formed, and suffered most. Major Hanmer is killed, with young Hillary, and many other officers. General Evans and I had the good fortune to be on the right wing with the duke. General Evans had his horse shot dead under him, and escaped very narrowly, as well as myself.

P. S. Our whole army did not consist of above one thousand dragoons, and two thousand five hundred foot; and but a little more than half of them engaged. However, I must do the enemy that justice to say, I never saw regular troops more exactly

1715. were mentioned to be taken prisoners by the rebels, who took likewise several captains and subaltern officers; and,

exactly drawn up in line of battle, and that in a moment, and their officers behaved with all the gallantry imaginable. All I can say is, it will be of the last danger to the government, if we have not force to destroy them soon. The loss on both sides I leave for another time, when we have a more exact account.

The following account (given by the earl of Mar, or his party) of the engagement on Sheriff-Moor near Dumblain, Nov. 13, 1715, was published by Mr Freebairn, the pretender's printer at Perth:

There being various and different reports industriously spread abroad, to cover the victory obtained by the king's army over the enemy, the best way to set it in a clear light is to narrate the true matter of fact, and leave it to the world to judge impartially thereof.

Thursday, Nov. 10, the earl of Mar reviewed the army at Auchterardire, Friday the 11th, rested.

Saturday 12, the earl of Mar ordered lieutenant general Gordon and brigadier Ogilvie, with three squadrons of the marquis of Huntly, and the master of Sinclair's five squadrons of horse, and all the clans, to march and take possession of Dumblain, which was ordered to be done two days before, but was delayed by some interruptions: and all the rest of the army was

ordered, at the same time, to parade upon the Moor of Tul-libardine very early, and to march after general Gordon. The earl of Mar went to Drummond-Castle to meet with my lord Broadalbin, and ordered general Hamilton to march the army. Upon the march, general Hamilton had intelligence of a body of the enemy's having taken possession of Dumblain; which account he sent immediately to the earl of Mar. A little after general Hamilton had another express from general Gordon, who was then about two miles to the westward of Ardoch, that he had intelligence of a great body of the enemy's being in Dumblain. Upon which general Hamilton drew up the army so, as the ground at the Roman camp near Ardoch would allow. A very little after the earl of Mar came up to the army, and not hearing any more from lieutenant-general Gordon, who was marched on, judged it to be only some small party of the enemy to disturb our march, ordered the guards to be posted, and the army to their quarters, with orders to assemble upon the parade any time of the night or day, upon the firing of three cannon. A little after the army was dismissed, the earl of Mar had an account from lieutenant general Gordon, that he had certain intelligence of the duke of Argyll's being at Dumblain with his whole army. Upon which the

and, according to them, about two hundred private men.

The

the general was ordered to halt, till the earl should come up to him, and ordered the three guns to be fired; upon which the army formed immediately, and marched up to lieutenant-general Gordon at Kinbuck, where the whole army lay under arms, with guard advanced from each squadron and battalion till break of day.

Sunday the 13th, the earl of Mar gives orders for the whole army to form on the Moor, to the left of the road that leads to Dumblain, fronting to Dumblain. The general persons were ordered to their posts. The Stirling squadron, with the king's standard, and two squadrons of the marquis of Huntley's, formed the right of the first line of horse. All the clans formed the right of the first line of foot. The Perthshire and Fifeshire squadrons formed the left of the first line of horse; the earl Marischal's squadron on the right of the second line; three battalions of the marquis of Seaforth's foot, two battalions of my lord Huntley's, the earl of Panmure's, the marquis of Tullibardine's, the battalions of Drummond, commanded by the viscount of Strathallan and Logie Almond, the battalion of Strowan, and the angus squadron of horse, formed the second line. When the army was forming, we discovered some small number of the enemy on the height of the west end of the Sheriff moor, which looks

into Dumblain: from which place they had a full view of our army. The earl of Mar called a council of war, consisting of all the noblemen, gentlemen, general officers, and heads of the clans, which was held in the front of the horse on the left, where it was voted to fight the enemy *nemine contradicente*. Upon which the earl of Mar ordered the earl Marischal, major-general of the horse, with his own squadron, and Sir Donald Macdonald's battalion, to march up to the height, where he saw the enemy, and dislodged them, and send an account of their motions and dispositions. No sooner the earl Marischal began his march, but the enemy disappeared, and the earl of Mar ordered the army to march up after them. By the other generals orders the lines marched off the right, divided in the centre, and marched up the hill in four lines. After marching about a quarter of a mile, the earl Marischal sent back an account, that they discovered the enemy forming their line very near him to the south of the top of the hill: upon which the army, particularly the horse, was ordered to march up very quickly, and form to the enemy; but, by the breaking of their lines in marching off, they fell in some confusion in the forming, and some of the second line jumbled into the first, on or near the left, and some of the horse formed near the centre; which

1715.

The number of the killed and wounded, on the side of the rebels, is said to have amounted to eight hundred, and

which seems to have been the occasion, that the enemy's few squadrons on the right were not routed as the rest.

The earl of Mar placed himself at the head of the clans, and, finding the enemy only forming their line, thought fit to attack them in that posture. He sent colonel William Clepham, adjutant general to the marquis of Drummond, lieutenant-general of the horse on the right, and to lieutenant-general Gordon on the right of the right of the foot, and major David Erskine, one of his aid de camp, to the left, with orders to march up and attack immediately: and upon their return pulling off his hat, waved it with a huzza, and advanced to the front of the enemy's formed battalions, upon which all the line to the right, being of the clans, led on by Sir Donal Macdonald's brothers, Glengary, capt. of Clanronald, Sir John Maclean, Glenco Campbell of Glenlyon, colonel of Broadalbin's, and brigadier Ogilvie of Boyne, with colonel Gordon of Glenbucket, at the head of Huntley's battalions, made a most furious attack; so that in seven or eight minutes we could perceive neither the form of a squadron or battalion of the enemy before us. We drove the main body and left of the enemy in this manner for about half a mile, killing and taking prisoners all that we could overtake. The earl of Mar endeavoured to stop our

foot, and put them in some order to follow the enemy, which we saw making off in some small bodies from a little hill below, towards Dumblain, where the earl of Mar resolved to follow them to complete the victory. When an account was brought him, that our left, and most of our second line, had given way, and the enemy was pursuing them down the back of the hill, and had taken our artillery, immediately the earl of Mar gave orders for the horse to wheel; and having put the foot in order, as fast as could be, marched back with them. When he was again near the top of the hill, two squadrons of the enemy's grey dragoons were perceived marching towards us. When they came near the top of the hill, and saw us advancing in order to attack them, they made much faster down the hill than they came up, and joined at the foot of the hill to a small squadron or two of the black dragoons, and a small battalion of foot, which we judged had marched about the west end of the hill, and joined them. At first they again seemed to form on the low ground, and advanced towards us; but when they saw us marching down the hill upon them, they filed very speedily to Dumblain. The earl of Mar remained possessed of the field of battle, and our own artillery, and stood upon the ground till sunset; and then, considering, that the army had no co-

ver or victuals the night before, and none to be had nearer than Braco, Ardoch, and the adjacents, whereby his lordship expected the left to rally, and the battalions of the lord George Murray, Innernyhe, Mackpherson, and Macgregor, to join him, resolved to draw off the artillery, and march the army to that place where were some provisions. There were two carriages of the guns broke, which we left on the road. But these battalions did not join us till the next day afternoon, before which the enemy was returned to Stirling.

We took the earl of Forfar, who was dangerously wounded, colonel Lawrence, and ten or twelve captains and subalterns, and about two hundred sergeants and private men, and the laird of Glenkindy, one of the volunteers, four colours, several drums, and about fourteen or fifteen hundred stands of arms. We compute that there lay killed in the field of battle about seven or eight hundred of the enemy: and this is certain, that there lay dead upon the field of battle above fifteen of the enemy to one of ours. Besides, the number of the wounded must be very great.

The prisoners taken by us were very civilly used, and none of them stripped. Some are allowed to return to Stirling upon their parole, and the officers have the liberty of the town of Perth. The few prisoners taken by the enemy on our left, were most of them stripped and wounded after taken. The earl of Panmure being first of the prisoners wounded, after taken, they having refused his parole, he was left in a village, and by

the hasty retreat of the enemy, upon the approach of our army, was rescued by his brother and his servants, and carried off.

Monday 14, the earl of Mar drew out the army early in the morning on the same field, at Ardoch, they were on the day before. About eleven o'clock, we perceived some squadrons of the enemy on the top of the hill near the field of battle, which marched over the top of the hill, and a little after we had an account of their marching to Stirling. Upon which the earl of Mar marched back with his army, who continued about Auchterardire.

Tuesday 15, rested. Wednesday 16, the earl of Mar left general Hamilton with the horse to canton about Duplin, and lieutenant-general Gordon with the clans, and the rest of the foot about Forgan and adjacents, and went into Perth himself to order provisions for the army; the want of which was the reason of his returning to Perth.

Thursday 17, the earl of Mar ordered general Hamilton to march with the horse, and some of the foot, to Perth, and lieutenant-general Gordon with the clans, to canton about that place.

After writing the former narrative, we have account from Stirling, that the enemy lost twelve hundred men; and, after inquiry, we cannot find above sixty of our men in all killed; among whom were the earl of Strathmore, and the captain of Clanronald, both very much lamented. Auchterhouse is missing. Very few of our men are wounded.

The

1715.

A remarkable incident.
Patten.

on the king's side to five hundred; but they never agreed in the accounts of their several losses (z).

It was reported that Mr Drummond, an officer in the duke of Argyle's army, went to Perth under the pretence of being a deserter, and was made aid de camp to the lord Drummond; and at the battle of Dumblain he attended the earl of Mar to receive his orders. When the earl thought, that his right wing was like to defeat the duke of Argyle's left, he dispatched this Mr Drummond to general Hamilton (who commanded the left of the earl of Mar's army) with orders to attack the enemy briskly, since he was like to have the advantage on the right. But Mr Drummond, instead of delivering that order, gave the direct contrary orders to general Hamilton, and told him, that the earl of Mar was worsted on the right, and desired him to retire with all haste with as good order as possible. Upon which general Hamilton gave order to halt, which was obeyed. Then, the right of the duke of Argyle's army approaching them, most part of them gave way without firing a gun; and those that stood were chiefly gentlemen and officers, who were so galled by the duke of Argyle's right wing, that many of them were killed on the spot, and others taken prisoners. And it is said, Mr Drummond after he gave the abovementioned orders to general Hamilton, deserted to the duke of Argyle's side. But this is only report.

There was another thing very observable that day; Mr Robert Roy Macgregor, alias Campbell, a gentleman eminent formerly for his bravery and courage, was with his men very near the earl of Mar's army; and being desired by a gentleman of his own party, to go and assist his friends,

(z) The account of the killed, wounded, and taken on the king's side, according to the muster-master-general's rolls, Nov. 30, 1715, stands thus:

| | Killed. | Wounded. | Taken. | In all |
|--------------|---------|----------|--------|--------|
| Foot, | 241 | 120 | 110 | |
| Dragoons, | 25 | 53 | 12 | |
| Officers, | 11 | 11 | 10 | |
| Serjeants, | 10 | 3 | 1 | |
| Total of men | 290 | 187 | 133 | 610 |
| Horses, | 42 | 75 | 40 | 157 |

he

he refused, and said, if they could not do it without him, they should not do it with him.

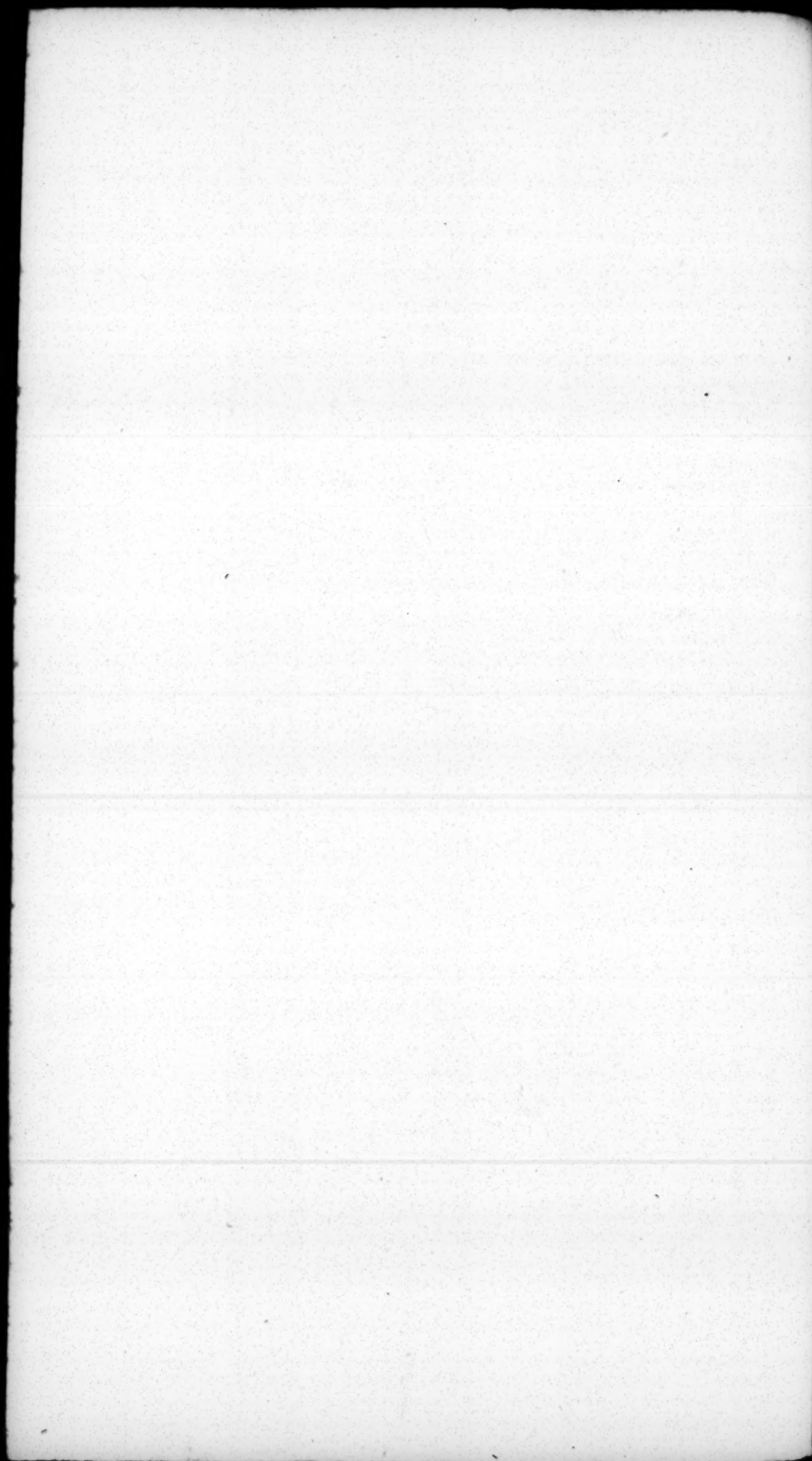
1715.

Inverness
taken.

The engagement being over, news was brought to the rebels, of the surrender of the important pass of Inverness to the king, on the same day the battle was fought. This service was performed by Simon Frazer of Beauford, lord Lovat, chief of the Frazers, who had hitherto appeared in the interest of the pretender. He came before Inverness on the 10th of November, where he was little expected in that manner, having been all his life of a contrary party. Sir John Mackenzie, who held the town as governor for the earl of Seaforth, had only three hundred men with him. With these he retired to a kind of castle or citadel, out of which he made his retreat on the 12th, and gave free possession to the king's new friends. The securing Inverness was a great blow to the rebels in these parts, for by it a free communication was opened between the earl of Sutherland and the well-affected in the counties adjacent to Inverness; and by these means the earl of Seaforth and the marquis of Huntley were not only drawn from the rebel-army to defend their own territories, but were induced soon after to make their submission; and a good number of the Frazers, who followed Frazerdale before, upon the change of disposition in their chief, the lord Lovat, left the rebels, and increased the number of the king's friends under him.

The marquis of Tullibardine left the earl of Mar likewise, in order to cover his own country; and many of the clans, not seeing any likelihood of coming to an action, returned to their homes; it being the custom with these people never to remain long in the field, unless they are kept in constant employ.





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BOOK XXX. PART II.
From the Year 1715. to the Year 1716.

C H A P. III.

*Barrier treaty ratified.—Arrival of the Dutch troops.—Cado-
gan sets out for Scotland.—Prisoners sent to London.—The
pretender lands in Scotland.—His proceedings.—The rebels
think of dispersing.—The proceedings of the king's army.—
Pretender leaves Scotland.—Death of Lewis XIV.—Duke of
Orleans made regent.—Proceedings in Ireland.—The Parli-
ament meets.—Their proceedings.—The impeach'd lords are
condemn'd.—Order'd to be executed.—Three reprieu'd.—
Derwentwater and Kenmure executed.—The earl of Wintoun
condemn'd. Trial of the rebels.—Forster makes his escape.*

30. G E O R G E I.

ON the 12th of November arrived at Whitehall captain Williamson, aid de camp to general Cadogan, with the news of the barrier treaty being signed, bringing with him a duplicate of the treaty itself for the king to ratify. This treaty had been a long while

The barrier
treaty rati-
fied.

H h 2

1715.

while in hand, and had met with many difficulties and delays; and it was very much doubted by some, whether the imperial court intended to conclude it at all. But, after great disputes, it was at last finished at Antwerp, and signed by the plenipotentiaries of the emperor, the States-general, and the king of Great-Britain, by which the bounds of the imperial dominions in the Netherlands, as also of the States-general, were adjusted, and the emperor became guarantee of the succession of the house of Hanover to the crown of Great-Britain, as the States-general were before.

The arrival
of the Dutch
troops.

Three days after, general Cadogan arrived at London from Flanders, and the same day three thousand of the Dutch auxiliaries came up the Thames; and having refreshed themselves for some days in their quarters in the Tower-hamlets, and Southwark, marched by land towards Scotland, and the other three thousand were ordered to follow by sea. But, the winds being contrary, they were forced to put into Harwich and other places. These troops, not being used to sea, suffered so much, that they desired to land, and march wherever the king should think fit. Accordingly they were ordered also to proceed by land to Scotland; and their march, with that of the three thousand from London, was so regulated, as to arrive at Edinburgh about the same time.

They march
to Edin-
burgh.

General Ca-
dogan sets
out for Scot-
land.

A resolution being taken to dislodge the rebels from Perth, general Cadogan, by the king's command, set out on the 29th of November for Scotland; and brigadier Petit, with six engineers under him, was ordered to march thither with all speed. A considerable train of artillery was also shipped off at the tower, and sent to Scotland for this expedition.

About the same time colonel Stern's regiment arrived in the Thames from Ghent, where they had been garrisoned, and brought prisoners with them the lord Clermont, son to the earl of Middleton, who in the year 1708, was taken prisoner in the pretender's expedition to Scotland, and Mr Murray, who, by the name of Gordon, had lately been with the earl of Mar, and who were both taken in Flanders. The lord Clermont was committed to the Tower, and the other to Newgate.

Several half-
pay officers
taken at Pre-
ston, shot.

With regard to the prisoners taken at Preston, some half-pay officers being found among them, a court-martial was held at Preston on the 28th of November, to try the following persons as deserters; the lord Charles Murray, a younger son of the duke of Athol, major Nairn, and cap-
tain

1715.

tain Lockhart, brother to Lockhart of Cornwarth, the author of the memoirs of Scotland, Nairn and Lockhart had belonged to lord Mark Ker's regiment; captain Shaftoe to colonel Frank's; ensign Erskine to Preston's; and ensign Dalziel to lord Orkney's. The five first were found guilty, and sentenced to be shot; but Dalziel was acquitted as to the crime of desertion, upon his proving, that he had resigned his commission some time before he engaged in the rebellion. The lord Charles Murray was respited till further orders; but the others were, on the 4th of December, executed. About five hundred of the inferior prisoners were sent to the castle of Chester, and a great number to Liverpool; but all the noblemen and most considerable persons amongst them were sent to London, where they arrived on the 9th of December, being guarded from Highgate by major-general Tatton, lieutenant-colonel of the first regiment of guards, at the head of a detachment of about three hundred foot-guards, and a hundred and twenty horse-granadier guards. They were brought so far by brigadier Panton, lieutenant-colonel of Lumley's regiment of horse, under a guard of one hundred of his troopers. At Highgate every one of the prisoners had his arms tied with a cord coming cross their back; and, thus pinioned, they were not allowed to hold the reins of the bridle, but had their horses led by a foot-soldier. In this posture they were ranged in four divisions, according to the four different prisons, to which they were allotted; the noblemen to the Tower; Foster and Mackintosh to Newgate; others to the Marshalsea; and others to the Fleet; each division being placed between a party of horse-granadiers, and a platoon of foot-guards. In this manner general Tatton set out from Highgate about noon, and proceeded to London through innumerable crowds of spectators of all ages and conditions; his drums beating all the way a triumphal march. The same day two of them, Mr Richard Gascoigne and Mr Thomas Butler, one of the duke of Ormond's natural sons, were carried to the Cock-pit, where they were examined before a committee of the privy-council, and afterwards committed to the custody of a messenger. The next day, the lord Kenmure, Mr Foster, and brigadier Mackintosh were carried to the Cock-pit, where they were severally examined by a committee of council, and then remanded, the first to the Tower, and the others to Newgate. The same day likewise, Mr Gas-

The chief of
the prisoners
sent to Lon-
don,

1715. coigne and Mr Butler were examined a second time, and then committed to Newgate. On Monday, the 12th of December, the earls of Derwentwater, Nithisdale, Carnwarth, and Wintoun, the lord Widdrington, and some others of the principal rebels, were also severally examined, and afterwards sent back to their respective prisons.

The rebellion in England being totally suppressed, the king's household troops broke up their camp in Hyde-park, the day after the prisoners were brought to London, and the artillery was sent to the Tower. However, for the greater security of London and Westminster, an extraordinary horse-guard was placed in several inns between St James's and Whitehall, with orders to patrolle all night.

The pretender lands in Scotland.

On the 22d of December, the pretender landed at Peterhead, in the North of Scotland, with only six gentlemen in his retinue; among whom was the marquis of Tinnmouth, son to the duke of Berwick. The pretender had embarked at Dunkirk on board a small ship, which had formerly been a privateer of eight guns. The first night he lay at Peterhead; the second at Newburgh, a seat of the earl Marischal's. He passed through Aberdeen incognito (he and all that were with him being in the habit of sea-officers) to Fetterossie, the chief seat of the earl Marischal. Here he was met by the earl of Mar, the earl Marischal, and about thirty noblemen and gentlemen of the first quality, who had left Perth with a party of horse, on the first notice of his landing, which they received by an express from Peterhead. At this place he appeared in publick, and, assuming his pretended quality, permitted the noblemen and gentlemen to kiss his hand. Whilst he remained at Fetterossie, which was till the 27th, he formed a court, appointing all the officers of state and household, and made some peers, and several knights. He was proclaimed with great solemnity before the door of the house, and then published his declaration *, dated at Commercy in Lorraine, on the 25th of October. It was printed at Perth by Robert Freebairn, who stiled himself Printer to his majesty, and was sent to all the magistrates, ministers, and justices of the peace within the rebel-quarters; many of whom, especially in the North, published it according to the order sent with it.

He is proclaimed, and his declaration published.

* See p. 450.

At Fetterosse, the pretender received also the homage of his ecclesiastical and lay episcopal subjects, of the diocese of Aberdeen by addresses from each of them. (a).

1715.

He is addressed.

He goes to Scoon.

During the pretender's stay at Fetterosse, he was attacked by an aguish disorder; but he soon recovered, and, on the 2d of January, arrived at Brieche, where he continued two days; and, on the third, went and lay at Kinaird. The next day he arrived at Glames, and lay there that night. Next morning he made his publick entry into Dundee, with the earl of Mar on his right, and the earl marischal on his left hand, being followed by about three hundred gentlemen on horseback. At the desire of his friends he remained about an hour on horseback in the market-place, allowing the people to perform the ceremony of kissing his hand. He then went and dined at Stuart of Garantully's, where he lodged that night. Next day he left Dundee, and dined at Castle-Lyon, a seat of the earl of Strathmore's, and lay that night at Sir David Triplin's, and, on the 7th of January arrived at the palace of Scoon, the antient place of the coronation of the kings of Scotland, where he seemed resolved to stay till that ceremony was performed.

On the 9th of January, about noon, he made his publick entry on horseback into Perth, and reviewed some of the troops,

He makes his entry into Perth.

(a) The address of the clergy, dated December 29, was as follows:

S I R,

We your majesty's most faithful and dutiful subjects, the episcopal clergy of the diocese of Aberdeen, do, from our hearts, render thanks to Almighty God for your majesty's safe and happy arrival into this your antient kingdom of Scotland, where your royal presence was so much longed for, and so necessary to animate your loyal subjects, our noble and generous patriots, to go on with that invincible courage and resolution, which they have hitherto so successfully exerted for the recovery of the rights of their

H h 4

king and country, and to excite many others of your good subjects to join them, who only wanted this great encouragement.

We hope and pray, that God may open the eyes of such of your subjects, as malicious and self-designing men have industriously blinded with prejudices against your majesty, as if the recovery of your just rights would ruin our religion, liberties, and property, which by the overturning of these rights have been highly incroached upon; and we are persuaded, that your majesty's justice and goodness will settle and secure those just privileges, to the conviction of your most malicious enemies.

Al-

1715. troops that were drawn out on purpose. He expressed great satisfaction at the appearance of the men, and was much pleased with the Highland dress, which he had never seen before. In the evening he returned to Scoon, where he began to form a regular council, and to perform several acts of state. He published six proclamations; for a general thanksgiving for his safe arrival; for praying for him in churches; for the currency of all foreign coins; for summoning the meeting of the convention of estates; for ordering all sensible men, from sixteen to sixty, to repair to his standard, and for his coronation on the 23d of January.

On the 16th of that month a grand council was held, at which all the chiefs of the rebels were present. At the opening of it, the pretender delivered himself in a set speech to this effect:

His speech
to his council.

‘ I am now, on your repeated invitation, come among you. No other argument need be used of the great confidence I place in your loyalty and fidelity to me, which I intirely rely on. I believe you are already convinced of my good intentions to restore the antient laws and liberties of this kingdom: if not, I am still ready to confirm to you the assurance of doing all, that can give you satisfaction therein.

‘ The

Almighty God has been pleased to train up your majesty from your infancy in the school of the cross, in which the Divine Grace inspires the mind with true wisdom and virtue, and guards it against those false blandishments, by which prosperity corrupts the heart. And as this school has sent forth the most illustrious princes, as Moses, Joseph, and David; so we hope the same infinitely wise and good God designs to make your majesty, not only a blessing to your own kingdoms, and a true father of them, but also a great instrument of the general peace and good of mankind.

Your princely virtues are such, that, in the esteem of the best judges, you are worthy to

wear a crown, though you had not been born to it; which makes us confident, that it will be your majesty's care to make your subjects a happy people, and so to secure them in their religion, liberties, and property, as to leave no just ground of distrust, and to unite us all in true christianity, according to the gospel of Jesus Christ, and the practice of the primitive christians.

We adore the goodness of God, in preserving your majesty, amidst the many dangers, to which you have been exposed, notwithstanding the hellish contrivances formed against you, for encouraging assassins to murder your sacred person; a practice abhorred by the very

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‘ The great discouragements, which presented, were not
 ‘ sufficient to deter me from coming to put myself at the
 ‘ head of my faithful subjects, who were in arms for me,
 ‘ and, whatsoever, shall ensue, I shall leave them no room
 ‘ for complaint, that I have not done the utmost they could
 ‘ expect from me. Let those, who forget their duty, and
 ‘ are negligent of their own good, be answerable for the
 ‘ worst that may happen. For me, it will be no new
 ‘ thing, if I am unfortunate. My whole life, even from
 ‘ my cradle, has shewn a constant series of misfortunes;
 ‘ and I am prepared (if so it please God) to suffer the
 ‘ threats of my enemies, and yours. The preparations,
 ‘ which are making against us, will, I hope, quicken
 ‘ your resolution, and convince others, from whom I have
 ‘ assurances, that it is now no time to dispute what they
 ‘ have to do: if otherwise, they shall by their remissness
 ‘ be unmindful of their own safety, I shall take it as my
 ‘ greatest comfort, that I have acquitted myself of what-
 ‘ ever can be expected from me. I recommend to you
 ‘ what is necessary to be done in the present conjunc-
 ‘ ture ;

heathens. May the same mer-
 ciful providence continue still to
 protect your majesty, to prosper
 your arms, to turn the hearts of
 all the people towards you, to
 subdue those who resist your
 just pretensions, to establish you
 on the throne of your ancestors,
 to grant you a long and happy
 reign, to bless you with a royal
 progeny, and at last with an
 immortal crown of glory. And
 as it has been, still is, and shall
 be our care, to instil into the
 minds of the people true princi-
 ples of loyalty to your majesty ;
 so this is the earnest prayer of,
 &c.

The city of Aberdeen, who
 were mostly of the episcopal
 communion, followed the ex-
 ample of their pastors, in the
 following address :

We your ever loyal and duti-
 ful subjects, the magistrates,

town-council, and other your
 majesty’s loyal subjects, citizens
 of Aberdeen, do heartily con-
 gratulate your arrival to this
 your native and hereditary king-
 dom. Heaven very often in-
 stance our blessings by disap-
 pointments ; and your majesty’s
 safe arrival after such a train of
 difficulties, and so many at-
 tempts, makes us not doubt
 but God is propitious to your
 just cause.

As your majesty’s arrival was
 seasonable, so it was surprising.
 We were happy, and we knew
 it not: we had the blessing we
 wished for, yet insensible till
 now, that your majesty has
 been pleased to let us know,
 that we are the happiest, and,
 as so, we shall always endea-
 vour to be the most loyal of,
 &c.

1715.

The rebels
think of dis-
persing.

ture ; and, next to God, rely on your council and reso-
lution.'

This speech was dispersed with great industry ; but the council soon came to a resolution to abandon the whole enterprize, the first opportunity they should have to do it decently. They were not in circumstances to stand the attack of the royal army, which was now reinforced with six thousand Dutch : but it was necessary to conceal this resolution from their own people, till the proper measures were concerted to have them all dispersed with the greatest safety, without exposing them to the insults of the royal army. Had the resolution been made publick, it would have had this consequence, that the common people would be so dispirited, as not to be capable of taking care of their safety ; and some of them perhaps might have had thoughts of revenging upon their leaders the danger, into which they had been drawn. For this reason the council gave out, they resolved to fight the king's troops ; and accordingly, made all the preparation necessary for such an undertaking, as if they had really intended it.

Expreses were sent to the earl of Seaforth, the marquis of Huntley, and many others of their friends, to return speedily to the army at Perth. Their head-quarters were fortified in the best manner ; and people of all ranks were zealous in promoting the work. Nothing was to be seen till the very day they abandonad the place, but the greatest industry in throwing up intrechments, raising batteries, planting guns, with all the other preparations of war. The pretender even issued out an order, for the burning of the village of Auchterardire, to prevent its falling into the hands of the enemy (b).

Ac-

(b) The order was as follows :

James R.

' Whereas it is absolutely necessary for our service, and the publick safety, that the enemy should be as much incommoded as possible, especially upon their march towards us, if they should attempt any thing against us or our forces ; and seeing this can be by no means

' better effected than by destroying all the corn and forage, that can support them in their march, and burning the houses and villages, which may be necessary for quartering the enemy ; which nevertheless it is our meaning should be only done in case of absolute necessity, concerning which we have given our full instructions to James Graham younger of Braco : these are therefore ordering and requiring you, how

According to this order, several towns, as Auchterardire, Blackford, Dunning, and Muthell, and other villages, were burnt to the ground; by which the poor inhabitants, being only old infirm men, women, and children (the rest being forced from their homes) were exposed to the severest season of the year, in one of the coldest winters that had been known for many ages. In the account published at Paris, of the pretender's conduct in Scotland, it is affirmed, that, upon his leaving that kingdom, he had deposited a sum of money in the hands of general Gordon, for the use of the sufferers by the execution of this order; which money was to be delivered by that general, with a letter from the pretender to the duke of Argyle. Whether this was published to take off the ill impression that order seemed to leave upon the minds of the people, or whether there was any truth either in that or the letter, depends only on the credit of the account written by the earl of Mar at Paris (c.)

1715.

Several villages burnt.

During

' how soon this order shall be
' transmitted to you by the
' hands of the said James Gra-
' ham, forthwith, with the gar-
' rison under your command, to
' burn and destroy the village of
' Auchterardire, with all the
' houses, corn, and forage with-
' in the said town, so as they
' may be rendered intirely use-
' less to the enemy; for the do-
' ing whereof this shall be to
' you, and all you shall em-
' ploy in execution thereof, a
' sufficient warrant.'

Given at our court of Scoon
this seventeenth day of Ja-
nuary, in the fifteenth year
of our reign, 1715-16.

By his majesty's command,

M A R.

To colonel Patrick
Graham, or the
commanding offi-
cer for the time, of
our garrison of Tul-
libardine.

(c) This account at large was
as follows:

S I R,

You seem surprized at the sudden change our affairs here have taken, from what you expected by the accounts you had from some of our friends at Edinburgh, before our leaving Perth, and even after we were gone from thence. I will therefore, for your satisfaction, give you a true account of that whole matter.

It is plain enough, that it was our business to represent our affairs then to the publick, to be in such a posture, as might encourage our friends every where, and discourage our enemies, and stop them from marching against us, until we were in a better condition to receive them; which we had reason to expect soon to be, by our friends joining us, as they daily promised to do, and un-

1715.

During these transactions, the duke of Argyle, in conjunction with the lord Cadogan, took measures to dislodge the rebels from Perth, and remove the pretender from Scotland.

Brunt-Island
abandoned by
the rebels.

A number of the rebels having possession of the town of Brunt-Island, on the other side of the road of Leith, the duke of Argyle ordered the men of war, then on duty in that road, to stand over, and throw some shot into the town. The captain had thrown but few, when the rebels abandoned the town, fearing, as they said, the captain, after his cannonading, would attempt to land; and their number was not sufficient to defend the place. Upon notice of the rebels abandoning Brunt-Island, where they had left behind them six pieces of cannon, some arms, and a great quantity of provisions, a detachment of Scots and Dutch troops were sent over the Firth, to take possession of the town, under the command of Sir James Montgomery. Upon this the rebels quitted all the towns on the north side of the Firth; by which means the navigation to and beyond Leith was not so much interrupted, as in the beginning of the winter.

There happened some skirmishes between the detachments sent to possess these towns, and some parties of the rebels;

until we should receive the money, arms, and ammunition we were every day expecting, as we had been for a long time.

But, that time being now over, I may freely own to you, and it is fit you should know, that a month before the chevalier landed, the resolution was taken of abandoning Perth, as soon as the enemy should march against it. And, though this resolution was known to a good number in our army, yet the secret was so well kept, that it never came to the publick; so that the enemy believing that we should stand our ground, thought themselves obliged to delay their march for a long time, until they had made great preparations of artillery, &c. as if they

had been going to besiege a fortified town: but, in reality, our condition was then such, as obliged us to take that resolution, having neither a sufficient number of men, ammunition, nor arms.

Upon the chevalier's arrival we expected that our friends would then have certainly joined us; both those, who had formerly been with us, and were gone home, and those, who before had given, the chevalier not being come, as the only reason of their not joining the army; and also that those, to whom the reducing of Inverness, the lord Sutherland, and those with him, was committed, would have vigorously performed that service, and then have joined

rebels; but none of any consequence. The most remarkable skirmish was about the second of January, when the earl of Rothes, with a good company of volunteers, and a detachment of fifty Dutch, attempted to possess themselves of the palace of Falkland, a royal foundation, but now gone to decay. The rebels having intelligence of the earl's design, threw a party of their men into the place, and sent another body to surround him in a village near Falkland. The volunteers, to the number of thirty, found means to make their escape; but the Dutch foot were made prisoners.

To restrain the incursions of the enemy upon the duke's new acquisitions on the coast of Fife, three battalions of Dutch foot were ordered to pass the Firth at the Queen's-Ferry, and take quarters about Innerkeithing, Dumferling, and the towns in that neighbourhood, which proved a sufficient check upon the rebels during their stay at Perth.

About this time the earl of Seaforth and the marquis of Huntley had capitulated with the earl of Sutherland after many

joined us; and we had no reason to doubt, but money, ammunition and arms would immediately be sent after the chevalier.

But, to our great misfortune, we were disappointed in all these our hopes, though never so well grounded in appearance.

The rigour of the season, and the great fall of the snow on the hills, kept in some measure the rest of the highlanders from joining us. Most of those, who before had excused themselves upon the chevalier's not being come, kept still at home, now that he was come, waiting perhaps to see how his affairs were like to succeed. Those employed for reducing of Inverness were so far from acting with vigour, that they made, what they called it, a cessation of arms with the enemy. Some gold was

sent to us in lingo's; but the ship in which it came, was stranded, and the gold itself lost. Several ships came with officers, but neither arms nor ammunition in any of them. So that our condition after the chevalier's arrival, was no ways bettered, except by the new life his presence gave to the small number we at that time had got together. Even in that weak condition, the chevalier would gladly have maintained Perth, or ventured a battle. But when the enemy, with all their great preparations, and an army of above eight thousand effective regular troops, were actually in march, and advanced near to the place, it was found impracticable to defend the town, and unadvisable to enter into a battle with a small number of men, that were in it, for a great many reasons

1715.

Proceedings
of the king's
army.

many threatnings between them, which never came to blows. The earl of Seaforth afterwards involved himself again in the rebellion; but the marquis of Huntley strictly observed the terms of his capitulation.

The duke of Argyle had now got all the supplies he expected. The six thousand Dutch auxiliaries, under the command of major-general Vanderbeck, had joined him; as Newton's and Stanhope's dragoons had likewise from England. But he was in great want of a train of artillery, which he had long expected from England, and which had been shipped for this service; but the stormy weather and easterly winds continuing, the duke grew impatient of waiting any longer for them, and ordered general Cadogan to go to Berwick with a guard of five hundred men, and fifteen hundred carriage horses, to bring thence ten pieces of cannon and four mortars, with their carriages and ammunition, which with fourteen pieces that he had already with him, was thought a sufficient train for this expedition.

The

reasons too long to be here mentioned. But in short we had not above four thousand, both horse and foot; and of these, for want of arms, and for other reasons, not above two thousand five hundred to be relied upon as good fighting men. The town is little better than an open village at any time; and at this the river on one side, and a kind of fosse or ditch on the other, were frozen up, so that it was easy to be entered on all quarters. The long continued frost had kept the mills from going; so that there was not above two days provisions in the town. The enemy being then in possession of the most part of Fife, where the coal-pits are, there were no coals to be got; and, the wood being scarce in the country, there happened to be almost no fuel at all. Besides this, the highlanders are not used to defend towns; nor had

they wherewithal to defend this.

On the other hand, to have gone out to fight the enemy, when there was no advantageous post or pass to be defended, had been exposing our men to visible destruction; the enemy being provided with every thing, and thrice our number of fighting men, might have surrounded us on all sides, and prevented all possibility of retreat. All this put us into an absolute necessity of leaving Perth, and retiring northwards, which we did in good order, and came in two days to Montrose, and Brieichin. Neither of these places are tenable, though we had been provided, as we were not, with a sufficient number of men, ammunition, and provisions. But, Montrose being a good harbour, where we expected our succours from abroad, we were unwilling to quit it, so long as

we

The train being now ready, he was as much at a loss for gunners to manage it, having few or none in his army; but the fleet on board of which the train and ammunition had been shipped, arriving in the road of Leith on the 28th of January, colonel Borgard, who commanded the engineers and gunners sent with these stores, arrived at Stirling on the 29th, so that now all things were ready for the intended attack of the enemy, which was resolved in a council of war, notwithstanding the rigour of the season.

On the 21st, two hundred dragoons were sent, under the command of general Guest, to view the road, and discover some of the dispositions of the rebels. This party, though only sent to reconnoitre, put the rebels into the utmost confusion at Perth. Some country people, whose fear magnified the number of the detachment, carried news to the town, that the duke of Argyle and all the army was within a few hours march. This struck the whole rebel army with

we could remain safe in it. We thought indeed, that the enemy would have made a halt at Perth, and not have marched so quickly after us, as we soon found they did, they being within a few miles of us, before we had certain intelligence of it, though great pains had been taken to be informed of their motions. The earl of Panmure, not being recovered of the severe wounds he had received at the battle of Sheriff-Moor, was not in a condition to march along with the army, which otherwise he would have done: upon which the chevalier advised him, as he passed Dundee, to endeavour to get off in the first ship he could find; and by accident, finding a little bark at Arboth, went off in it for France.

Before this time several people had very seriously represented to the chevalier the deplorable circumstances, in which his affairs now were on all sides; that being overpowered in Scot-

land, no appearance of any rising in England, nor any news of the succours he expected from abroad, he had no course at present to take, that was consistent with what he owed to his people in general, to those, who had taken arms for him in particular, and to himself upon their account, but by retiring beyond sea, to preserve himself for a better occasion of asserting his own right, and restoring them to their antient liberties.

It was indeed hard to bring him to think of this; but those about him found it now high time to press the matter more than ever, the enemy being within three miles upon their march towards us. They therefore again represented to him the impossibility of making a stand any where, till they should come to the most inaccessible places of the mountains, where in that season of the year, there being so much snow on the ground, there could be no sub-

sistence

1715. with the greatest consternation ; and the pannick continued, till parties, sent out as far as Tullibardine to view the country, returned with the report of the falshood of the rumour.

Colonel Gueft, being returned, acquainted the duke of Argyle, that the roads were fo covered with fnow, that it would be impossible for the army to pafs, efpecially the artillery and heavy carriages, except the fnow was removed ; upon which feveral thoufand people from the country were fummoned in to clear the roads.

On the 24th, the duke and general Cadogan went out with a party to view the country, and haftten the workmen employed in clearing the roads. This likewise alarmed fome of the enemy's advanced pofts, but did not, as the other, reach Perth.

The day before and that day it thawed fuddenly : and the thaw was followed by a great fall of fnow, which hindered

liftence for any body of men together, and were no fuccour could come to them. That, when his fmall army was divided in leffer bodies, they could not avoid being cut off by the enemies troops, who would then be mafter of all the low countries, and efpecially by the garrifons they had in Inverlochy and Invernefs, which they would reinforce. That, as long as they knew he was in the kingdom, they would purfue him, even with the hazard of their whole army, his perfon being the chief object of their purfuit, as his deftruction was the only thing, that could fecure their ufurpation ; whereas, if he were gone off, they would not purfue with that eagerness, nor would they find their account in harraffing their army in the fnow, and exceffive cold of the mountains, to purfue the fattered remains of the loyal party, who might skulk in the hills, till providence fhould open

a way for their relief, or that they fhould obtain terms from the government. That his perfon being with them would defeat even thefe faint hopes ; and that in fhort, whilt he was in the kingdom, they could never expect any terms or capitulation but by abandoning him, or giving him up ; which rather than ever confent to, they would be all to the laft man cut in pieces.

Though the chevalier was ftill extremely unwilling to leave his loyal people, who had facrificed their all with fo much zeal and alacrity for his fervice ; yet when he confidered, that, as things then ftood, his prefence, far from being a help and fupport to them, would rather be an occafion of haftening their ruin, he was fenfibly touched to find himfelf, for their fakes, under a neceffity of leaving them : there was no answering their reafons, nor any time to be loft, the danger increafing every moment.

ed the workmen employed in clearing the roads, who had now all their work to do over again, and rendered the designed march almost impracticable. This inclined most of the generals to defer the march of the troops till the season was more moderate, none of them having seen a campaign in so cold a climate: but the duke was resolute in the measures taken, especially as he had positive orders from above, to attack the rebels without loss of time.

On the 26th, the duke ordered two regiments of dragoons, and five hundred foot, to advance to Dumblain with directions to post a strong party at the demolished bridge of Down.

On

ment. He therefore at last told them, that he was sorry to find himself obliged to consent to what they desired of him; and I dare say, no consent, he ever gave, was so uneasy to him as this was.

In the mean time fresh alarms coming of the enemies approaching, orders were given for the army's marching towards Aberdeen, and the resolution was taken for his going off in the evening. It happened very providentially, that there was just ready in the harbour a small ship, that had been designed to carry a gentleman he was then to have sent to a foreign court. This ship was now pitched upon to transport him: she was but a small one, and could carry but a few passengers; and therefore, to avoid confusion, he himself thought fit to name those, who should attend him. The earl of Mar, who was the first named, made difficulty, and begged he might be left behind; but the chevalier being positive for his going, and telling him, that in a great measure there were the same reasons for his going as for his own; that his friends

would more easily get terms without him than with him; and that, as things now stood, he could be no longer of any use to them in that country, he submitted.

The chevalier likewise ordered the marquis of Drummond to go along with him. This lord was then lame by a fall from his horse, and not in a condition to follow the army, and was one of the four with the earl of Mar, lord Tullibardine, and lord Lithgow, against whom there was then a bill of attainder passing. The chevalier would have willingly carried with him the two other lords; but it happened, that they were both then at a distance; lord Tullibardine at Briechin with a party of the foot, and lord Lithgow at Bervil with the horse. Lord Marischal, gentleman of his bed-chamber, was also ordered to go, though he seemed very desirous to stay, and share in the fate of his countrymen. Lieutenant-general Sheldon, vice-chamberlain, had the same orders; as had also colonel Clepham, who had left the enemy. Lord Edward Drummond, who

1715.

On the 29th, the army began their march, and proceeded to Dumblain; the troops which were there before, advancing, at the same time, to the old castle of Braco, expecting some resistance, but they found it abandoned. The next morning the same party, with two pieces of cannon, advanced upon the road to Tullibardine, to cover the workmen, who were clearing the way, and to prevent their being insulted by the garrison of Tullibardine. That day the army marched to Auchterardire; that is, to the place where it stood, for the rebels had burnt the village to the ground, so that the men were obliged to lie in the open air in as violent a cold night, as ever was known in those parts. The next morning early they marched to Tullibardine, the garrison of which place had retired, except fifty men, who were made prisoners. Here the duke of Argyle

was also gentleman of his bed-chamber, happened to be with lord Tinmouth, at five miles distance, and so could not go with the chevalier, as he intended they both should; but he wrote to them to follow in a small ship, that was then in the harbour; but the master of this ship was frightened, and went away without carrying any body.

The chevalier then ordered a commission to be drawn for lieutenant-general Gordon to command in chief, with all necessary power inserted; and particularly, one, to treat and capitulate with the enemy. He left also the said general the reasons of his leaving this kingdom, and all the money, that was in the pay-master's hands, or that he had himself (save a small sum for defraying his own and company's charges) and left orders for a sum of money (if there should be any left after paying the army) to be given to the poor people, who suffered by

the burning of Auchterardire, and some villages about it, which had been thought necessary to be done, to prevent the enemy's march, though very much against his inclination; which made him delay from time to time, until the enemy was actually on their march; and the chevalier left a letter with general Gordon, for my lord Argyle, to be delivered when the said money should be given, desiring that it should be distributed accordingly.

About nine o'clock the chevalier went on board the ship, which was about a mile at sea. Lord Marischal and colonel Clepham, came some time after to the shore; but by an accident found no boat, and so could not go off; though, as the boat-man, who carried the chevalier, assured us, he staid for them till near eleven o'clock, but could stay no longer, because of the nine men of war, that were cruizing thereabouts; and it was great good luck, that the ship,

Argyle received intelligence, that the pretender and his army had abandoned Perth the day before, and retired towards Dundee. This was very agreeable news to the whole army, who had lain in the snow for two nights successively. But, as it was four o'clock in the afternoon before the duke had the intelligence, they could not reach Perth that night. However the duke took with him four squadrons of dragoons, and two battalions of foot, and marched that evening to take possession of the town, where he arrived about two o'clock in the morning with the horse; but the foot, through the length and deepness of the road, did not arrive till ten the next morning, very much harrassed by their march. Had the rebels had any intelligence, that the duke was detached, with so small an attendance, from the

ship, having staid so long, got out of their reach before it was day-light.

As soon as the chevalier parted, we marched and were now a good way advanced towards the highlands; for there was no stand could be made at Aberdeen; nor could we think of going to Inverness, that being still in the enemies hands. Some went to Peterhead, and thought to have got off in a ship they found there; but we hear they were soon forced back by a man of war: so it is like they may join us again, if they are not intercepted by the enemy.

I must add here one thing, which, however incredible it may appear, is, to our cost, but too true; and that is, that, from the time the earl of Mar set up the chevalier's standard to this day, we never received from abroad the least supply of arms and ammunition of any kind; though it was notorious in itself, and well known, both to friends and enemies, that this was what from the beginning we mainly wanted; and, as such, it was

insisted upon by the earl of Mar in all the letters he writ, and by all the messengers he sent to the other side. Several ships came with officers, and some small sums of money, after the battle of Sheriff-moor; and three or four ships more came after the chevalier's arrival. But, even when he was with us in person, no powder was sent, nor a sword nor musket; so that, when we marched from Perth, we had not three hundred weight of powder for the whole army, nor should we have wanted men, had we had arms to put in their hands. How the main point came to be so intirely neglected, by those, who had the management of the chevalier's affairs in their hands on the other side, is yet a mystery to us: and it surprizes us the more, that those, who came lately over, assure us, that both arms and ammunition might have been gotten from private hands, without having the obligation to any foreign prince. So whether this unaccountable omission proceeded from mere negligence,

1715.

the main of the army, he might have been in some hazard; for the gros of the army did not arrive at Perth from Tulibardine till late in the evening, the 1st of February.

The pretender and his party had now got two days march before the royal army. It was necessary therefore to pursue them without intermission, that they might have no rest. Accordingly the 2d of February the duke of Argyll continued his pursuit at the head of six squadrons, two battalions, and eight hundred detached foot; lay that night at Errol, and on the 3d arrived at Dundee, though the main army, which made more easy marches, did not come up till the 4th. Here the duke's intelligence made him judge, that the rebel army, which had now proceeded to Montrose, would make some stop there, as that place was more tenable than Perth, and a sea-port, where they might expect supplies from abroad. Therefore he resolved not to allow them to fortify themselves, but sent two detachments to Montrose by two different roads: two thousand foot and fifty dragoons went by the way of Aberbrothick, and three hundred more, and fifty dragoons, marched by the way of Briecken;

want of money, or, from a jealousy in some, who were perhaps unwilling, that we should be the instruments of this great work, and that it should succeed in our hands, or some other by-reasons, is what time may discover.

Thus I have given you true matter of fact, and a sincere account of our unfortunate condition. Whatever may now be our fate, we have still one solid ground of comfort, that the chevalier hath (as we hope) got safe out of the reach of his enemies; for in the safety of his person is all our hopes of relief; and we look on him as the instrument reserved by God, and he now seems the only one in the ordinary course of providence to rescue these nations, in due time from their oppressions, and the lawless dominion of E——

Now if we look back a little, and consider our affairs, from the beginning of this last attempt, I believe it will be found, that no nation in our circumstances, and so destitute of all kind of succour from abroad, ever made so brave a struggle for restoring their prince and country to their just rights. And when it comes to be known to the world (as some time or other it may) what encouragements there were at home and abroad, reasonably to make us expect and hope for success in this great, good, and necessary work, it will not appear a chimerical, rash, or ill-grounded undertaking; and its not proving successful as plainly appears by what has been already said, and what follows: is not owing to the chevalier, or his faithful friends on this side.

When

1715.

Briecken; but the snow was so deep, that the march proved very tedious to those detachments, since they were obliged to summon in the country-people, to clear the roads. On the 5th the whole army marched: the duke with the cavalry, and train by the road of Briecken, and the infantry with general Cadogan by the way of Aberbrothick.

In this day's march they had intelligence, that the pretender had made his escape, both from his own people and the king's army, the morning before, on board a French ship, called the Maria Teresa of St Malo, then lying in the road of Montrose.

The pretender leaves Scotland.

It has been already observed, that the abandoning Perth, and dispersing the rebel army as soon as they could get out of the reach of the king's army, had been resolved ever since, if not before, the pretender's arrival in Scotland; but that it was necessary to conceal this design from the gross of the army, as well as that the pretender, and some of the chief leaders of this undertaking, intended to make their escape to France the first opportunity. However, the army's abandoning Perth so precipitately, as to leave their waggons

When the earl of Mar, by the chevalier's command, came down to Scotland, he found the people there more forward to take arms, than his instructions allowed him to consent to; and it was not without difficulty, that we could allay their first heat. But the chevalier not going into England, nor the duke of Berwick coming to Scotland, as was generally expected, abated very much of that forwardness, so that when the government summoned those they suspected to appear, and give bail for their good behaviour, many of them seemed inclined to comply. The earl of Mar, in pursuance of his instructions, found it then high time, for preventing this step, to appear openly; and it was not without difficulty, that he could persuade some to join with him, they apprehending

great uncertainty of success in this affair, by no account being come of the chevalier, or the duke of Berwick's arrival, nor of money, arms, ammunition, or officers, though others were all along very forward. Upon the resolution of taking arms, he sent a gentleman to give the chevalier an account of it,

It was near a month after the earl of Mar set up the standard before he could procure a commission; and it is no small proof of the people's zeal for their country, that so great a number followed his advice, and obeyed his orders, before he could produce one. It must be owned, and it is the less to be wondered at, that his authority being thus precarious, some were not so punctual in joining him, and others performed not so effectually the service they were sent upon;

1715.

waggon and artillery behind them, and then pointing their march to the sea-shore, especially to Montrose, where it was known that several French ships lay, raised jealousies in the heads of the army of what was really their intent, and produced considerable murmurings, which the earl of Mar could not appease, but by countenancing the march from Montrose to Aberdeen, where he gave out they designed to make a stand. The army was made to believe, that the pretender was to go along with them; and, to amuse them, his horses and ordinary body-guard were drawn up before the door of the house where he lodged. This removing all jealousy, the army became tractable again, and proceeded on their march. But the pretender, instead of going on with them, left his attendance in their usual waiting, slipped out of a back-door, and went on foot to the earl of Mar's quarters, and from thence to the water-side where a boat waited for them, and carried them on board with only three servants. The same boat returned, and took in the earl of Melfort, the lord Drummond, lieutenant-general Bulkley, Sheldon, and others, to the number

upon; which had they done, not only Scotland, but even part of England, had been reduced to the chevalier's obedience before the government had been in a condition to make head against us. But, as it was, most of those who had promised, and some, who had not, joined the chevalier's standard at Perth about the end of October; at which time the earl of Mar sent two gentlemen, to give the chevalier an account of the condition they were in, of what they had, and what they wanted, and to hasten his own, the duke of Ormond's, and the duke of Berwick's coming into Britain.

About this time there was a rising of some noblemen and gentlemen in the south of Scotland, who, marching over the borders, were joined by some

in the north of England; and, they altogether marching back into Scotland, the earl of Mar sent over the Firth of Forth fifteen hundred foot to join them. This occasioned the duke of Argyle's leaving Stirling, and going with a part of his army to Edinburgh. Now had the Scots and English horse, who were then in the south of Scotland, come and joined the fifteen hundred foot, as was expected; had the Highland clans performed, as they promised, the service they were sent upon in Argyleshire, and marched towards Glasgow, as the earl of Mar marched towards Stirling, he had then given a good account of the government's army, the troops from Ireland not having yet joined them, nor could they have joined them afterwards. But, all this fail-
ing

number of seventeen in all, being persons of the first rank, either in his household or army, or originally privy to his design. 1715.

When they were all on board, the vessel set sail, steering to the coast of Norway, to keep clear of the English cruisers. They had a fresh gale at west south west, and made land the next evening; and coasting along the German and Dutch shores, they arrived in five days at Gravelin in France; and the same ship returned in twelve days from her first setting out, both to give intelligence of the pretender's safe landing, and to take in another party of gentlemen, which was done about Frazerburgh, after the main of their army was dispersed in the hills.

The earl Marischal and the lord Tinmouth, son of the duke of Berwick, were about five miles from Montrose, when the pretender embarked; and so were left to shift for themselves with several others. But it will appear from the sequel, that both the earl Marischal and general Gordon were in the secret, though they pretended to make the army believe otherwise, to secure themselves from their resentment,

ing by some cross accidents, lord Argyle returned with that part of his army to Stirling; and the earl of Mar could not, with the men he then had, advance farther than Dumblain; and for want of provisions there, was soon after obliged to return to Perth,

But immediately after we had got provisions, and that the clans and my lord Seaforth had joined us, we marched again towards the enemy; and notwithstanding the difficulties the earl of Mar had upon that occasion with some of our own people, he gave the enemy battle; and as you see in our printed accounts of it, had not our left-wing given way, which was occasioned by mistake of orders, and scarcity of experienced officers, that being composed of as good men, and marched as

cheerfully up to the field of battle as the other, our victory had been compleat; and, as it was, the enemy, who was advanced on this side the river, was forced to retire back to Stirling.

Amongst many good qualities, the Highlanders have one unlucky custom, not easy to be reformed; which is, that generally after an action they return home. Accordingly a great many went off after the late battle of Sheriff-Moor; so that the earl of Mar, not being in a condition to pursue the advantage he had by it, was forced to return to Perth, waiting there, not without impatience, both for the return of the Highlanders, and for money, arms, and ammunition, he had so often asked, and still expected from abroad. But the Highlanders, hearing nothing of the
I i 4 chevalier,

1715.

ment, and only staid behind to conduct the army to a place, where they could with safety disperse them: which they did so effectually, that though the duke of Argyle used his utmost endeavours to come up with them, yet he could never overtake one party of them, and did not, in all the pursuit from Perth to the Highlands, take a hundred prisoners. They kept so close together, and marched with such expedition into the mountains, that it was in vain for the duke to pursue them any farther.

When the pretender went away, he appointed general Gordon to command in chief. When that general arrived in the army at Aberdeen (where they were but coldly received, in comparison of their former reception) he produced a paper of instructions, which he had from the pretender, and which, he said, he was commanded not to open till he came to that city. In this paper the pretender complains chiefly of disappointments from abroad; and mentions the necessity he was under, for his own preservation, to leave the country. He thanks them for their so chearfully undertaking so hazardous an enterprize, which, he says, would

not

chevalier, or the duke of Berwick's coming, nor of the supplies, did not return to the army, as they had promised: and the gentlemen of the army, who had been long from home, living still at their own charges, which they could not well longer support, went also mostly home, some without leave, and others after a leave, which the earl of Mar saw well enough would be to no purpose to refuse. Some indeed never thought of quitting the army, and others returned soon to it; but our number was never again near so great, as it had been before the battle. About this time we had the news of the fatal affair at Preston, which was no small discouragement to the army; so that some, who had been caballing privately before, began then to speak openly of

capitulating with the enemy, and found others more easy to join with them.

We had, at the same time, another piece of bad news: which was, that Simon Frazer of Beauford (by some called lord Lovat) had joined lord Sutherland; and that they, with the help of some other disaffected people thereabouts, had retaken Inverness. Upon this news, most of the name of Frazer, who had joined the chevalier's army with Frazerdale, went now away, and joined Beauford, or lord Lovat, their chief.

This obliged the earl of Mar to send lord Seaforth north to get his men together, who had mostly returned home after the battle, and, in conjunction with the chevalier's friends in that country,

not have been liable to the present disappointments, if their endeavours had been as well seconded by others, who had, by large promises, flattered him with their assistance. He recommends to them to consult their own safety, and to keep together till they arrived at such places, where they might separate without becoming a prey to the enemy, and promises to let them hear from him shortly.

It was the 6th of February when they arrived at Aberdeen, the third day after the pretender embarked. Here they staid but one night, and, in that interval procured three vessels to carry over about two hundred gentlemen, who designed to make their escape that way. These vessels received private orders to meet them to the north of Aberdeen, about Peterhead, Buchan-Ross, and other parts, where they took in their intended cargo; but one of them, falling in with the king's cruisers, put in for the shore, where the gentlemen landed again, and followed the rebel army through by-ways. The other two vessels, with about a hundred and forty gentlemen, arrived safe in France.

On

country, to endeavour to recover Inverness,

In the mean time those, who were for capitulating with the enemy, pressed the earl of Mar so hard to consent to it, that to prevent some people's making private separate treaties, which he found they were about, he was at last forced to comply so far with them, as to send a message from the whole army to my lord Argyle, to know, 'if he had power to treat with them?' That lord returned with great civility this answer, 'That he had no sufficient power to treat with them in a body, but that he would write to court upon the subject.' To which it was replied, 'That, when he should let them know he had sufficient power, they then would make their propositions.' By which the affair was put off at that

time, and we were since informed, that the lord Argyle never received those powers; and that even his former powers, which he sent up to be enlarged, were never returned to him.

Much about this time the marquis of Huntley having, for some time, pressed his going home with his horse, the earl of Mar consented to it, and gave him a commission, in conjunction with my lord Seaforth, for reducing of Inverness, and those, who opposed the chevalier's interest in that country, which we then hoped would be soon done.

After this, some, though but few, were discovered to have private dealings with the enemy; and some others went home, and never returned to the army; but a good number of the noblemen and gentlemen, and all the heads of the clans,

still

1715.

On the 7th, the rebels resolved to leave Aberdeen, and began their march early in the morning, and had evacuated the place by two in the afternoon. General Gordon, with the foot, formed the van, and the earl Marischal with about a thousand horse, formed the rear to prevent surprise. They marched to the left directly west through Strath-Spey, and Strath-Down, to the hills of Badenoch, where they quietly dispersed the common people mostly to their homes, but with a resolution to be ready to take up their arms on the first notice they should have from general Gordon.

About

still remained with the army at Perth.

We had about this time the long wished-for news of the chevalier's being landed; and that put an end, for the present, to any further talking of capitulations.

I have now given you a true, and I hope a satisfactory account of the condition we have been in, ever since our first taking arms; of the bad condition, in which the chevalier found us at his arrival; and of the reasons that obliged him at last to leave us.

There remains yet to answer one question, which you may naturally ask, as most people do, on this subject; and that is, Why the chevalier delayed his coming so long?

To answer this question to your satisfaction, I must tell you, that I have what I shall here relate, from persons of unquestionable veracity, who were then upon the place, eye and ear witnesses of what passed; and so you may safely rely upon it.

You have certainly heard, what was generally said, of the chevalier's sister's inclinations to-

wards him, whilst she was in possession of his throne. But, whatever there was of truth in that, what I am well assured of is, that he was at last so little satisfied with what was said to him from thence, that he was fully resolved, whilst she was yet alive, to have gone into Scotland; and, in order to that, had already prepared a declaration, or manifesto to have been there published upon his arrival. How he was hindered from putting this design in execution by some real friends, that were themselves imposed upon, and by other pretended friends, who were at the bottom real enemies, is a mystery, which time may discover.

Upon the first news of his sister's death, he immediately took post, and resolved to endeavour, at any rate, to get into some part of his dominions; but was stopped by those, who had power to do it effectually. Being then forced back to Lorraine, he made and published his protestation, which it is likely you have seen, and which, I can assure you, was drawn intirely by himself.

From

1715.

About this time several gentlemen, who had betaken themselves to the hills about Lochaber, received advice, that two French frigates lay at the Orkneys in Pentland Frith, till they should come aboard. Upon this the lord Duffus, Sir George St Clair, and lieutenant-general Eclin, with about one hundred and sixty gentlemen more on horseback well armed and mounted, made a sally from the hills, and, crossing in a body the shire of Murray, came down to the sea-coast, near a place called Bruch. Here they quit-
 ted their horses to their servants; and such, as they had no use for, they killed to prevent their falling a prey to the king's forces; then went on board some small boats to pursue

From that time, as before, he had nothing in his thoughts, but how, and when, he could assert his own right, and deliver his people. He saw little ground to hope for succour from any foreign prince, and had only the affections of his people, and the advice of his friends on this side the water, to rely upon. Their interest seemed now more than ever linked to his; and they being upon the place, and consequently best able to judge of the fittest time for his coming to them, it must be allowed, that it has been no ways prudent nor adviseable in him to act contrary to their opinion: and yet it is most certain, that it was only by following their advice, contrary to his own judgment and inclination, that so much time was lost. Some of them in England insisted upon having a certain number of regular troops to make head at first, without which, they said nothing was to be attempted: and though he sent them word over and over, that, after all the endeavours he could use, he found it absolutely impossible to obtain any

troops; yet they insisted for several months in this opinion, and by that means the most favourable time, he ever had, was lost. Other friends there pretended, that the disposition of the people would still grow more favourable towards him; and that there was no danger, but advantage, by delaying.

Thus, though he had several times fixed a day for his departure, he was still forced to delay, that he might not act contrary to the advice of his friends; and at another time, because he found, that his enemies had discovered his design, and taken infallible measures to intercept him. But, as soon as his friends began to see and own the mistakes they had been in, he, without any regard to the many dangers he had to go through, set out from Commercy the 28th of October, and went incognito through a great part of France to the coast of Bretagne; and to avoid falling into the hands of many, who were placed upon the common road to intercept him, he was obliged to cross the country through by-ways, with only three people

1715.

purſue their way to the Orkneys; but, finding theſe boats too ſmall and dangerous for that boiſterous ſeaſon of the year, they put in again at Dumbeth; where they hired two large barks, in which ſixty of them got ſafe to the frigate of twenty-fix guns. The others preſſed another Scots veſſel to carry them to the other frigate. When they arrived off that coaſt, the country people were alarmed, and afraid, that they were come with a deſign to plunder them, and ſeemed inclinable to fall upon them. But, the French ſhip coming in to their aſſiſtance, the people were ſoon ſet right as to their miſtake, and aſſiſted them in getting on board

ple with him. His deſign was to go to England, if things appeared favourable there; or, if they did not, to go to Scotland.

When he arrived at St Malo's, he found the duke of Ormond returned from the coaſt of England, to which he had gone ſome days before, in hopes to have found friends ready to join him; but, that having failed, by ſome accident of discoveries, he was forced to return. Upon this he reſolved to go into Scotland; and, it not being thought ſafe for him to go through the Britiſh channel, he had been adviſed to go round Ireland; and, by a meſſage from his friends in Scotland, it was propoſed to him to land at Dunſtaffnage, which was at that time in their poſſeſſion; but ſoon after the enemy came to be maſters of it, by the clans not performing what they were charged with in Argyleſhire, as is aforeſaid. His friends immediately informed him of this change by a ſecond meſſage; and this confirmed him in the reſolution he had himſelf before taken of changing all his meaſures, and, in place of taking that long tedious way,

which was indeed the ſafeſt, to take a much ſhorter, though a more dangerous way for being intercepted by the enemies ſhips. He ſent therefore immediately to prepare a ſmall ſhip privately for him at Dunkirk; which was accordingly done, though not without difficulty.

He was a ſecond time obliged to traverse a great part of France, and that on horſeback, in the very coldeſt time of this hard and ſevere winter; expoſed to greater danger than in the Forth, from the greater number of thoſe, who lay in wait for him on all the great roads, which obliged him to travel by unfrequented roads, where there was accommodation bad enough; and yet all this time, in that terrible cold, he never had the leaſt ailment or indiſpoſition.

It was about the middle of December (our ſtyle) before he could reach Dunkirk. He was there informed, that there was a man of war then lying in that very road; and that there were a great many more cruizing on the coaſt of France, England, and Scotland, all of them in waiting for him: but he, without any regard to theſe dangers,

board the French ship. Both the ships set sail, and landed them at Gottenburgh, in the king of Sweden's dominions, who was then setting out with an army on his expedition to Norway, and received their offer of entering into his service very courteously. But the lord Duffus, going to Hamburgh, was there seized at the suit of the British envoy.

In the mean time, the duke of Argyle was on his march to Montrose, where he arrived on the 6th of February; and at Aberdeen, with five hundred men, on the 8th; but, the rest of the army not being come up the pursuit could not be continued: only he dispatched general Evans with two hundred dragoons to harass their rear, or endeavour to divide their host from the foot; and, at the same time, to give chase to the two hundred gentlemen, who had separated from the rest, to take shipping at Frazerburgh; but the general succeeded in neither.

While the duke of Argyle was in chase of the rebel army by land, the men of war were as industrious to annoy them by sea, and hinder their escape. But they had not the fortune to meet with one ship belonging to the rebels; though they were not remiss in their duty (d).

With

gers, went immediately on board this small ship with only three servants, and conducted by good providence, arrived safe at Peterhead, where he landed the 22d of December, O. S.

Having, I hope, now fully satisfied your curiosity, I have only to add, that though it has pleased God to permit, that this attempt, though never so just, had not the wished for success; we have still reaped by it one great advantage, which is, that we have seen with our own eyes, and personally known our lawful sovereign, and, to our unspeakable satisfaction, discovered in him all the great and good qualities, that are necessary for making a people every way happy.

The time may, and I hope, will yet come, when God, in his mercy, will open the eyes, and turn the hearts of those nations to a sense of their duty, and not permit so accomplished a person to be always unfortunate. But, however it should please providence to dispose of him, this I can assure you, and you may rely upon it, that as his right is indefeasible, he is firmly resolved, by the help of almighty God, to assert it, when ever he finds a fit opportunity, and never to depart from it but with his life.

(d) This appears from the following journal of their proceedings published at Edinburgh:

Feb.

1715.

With all this diligence both on sea and land, it was strange that any escaped: but it was much more so, that not one of them ever fell into the hands of their pursuers, but arrived every man safe in France; where they were hunted by the earl of Stair, the British ambassador at the French court, whose intelligence was so good, that there was scarce one step taken by the pretender, or any of his most secret friends, without his knowledge; by which means he disappointed the pretender of the greatest part of the

Feb. 22. The Royal Anne, Galley, Fort-mahon, Deal-Castle, and Phenix are returned from cruising. It appears from the journal of captain Stewart, that he had intelligence early of the pretender's having put to sea from Montrose in a clean tallowed French snow, which rowed out of the harbour, and close in a long shore, a good while with her sails furled.

The Port-mahon lay all that night within two leagues of the harbour's mouth; but it was so very dark, there was no seeing a ship at a quarter of a mile's distance. Captain Stewart and the Pearl were off Aberdeen; and when the rebels marched out of that town, having notice of their marching northward, and that lord Tinmouth and others were contriving to make their escape from Peterhead or Frazerburgh, he immediately dispatched away the Pearl and Phenix to lie off these places, which effectually disappointed them. He lay himself at Aberdeen, till the duke of Argyle arrived there. The winds afterwards blowing hard southerly, he disposed the ships mostly on the south-coast

of the Murray Firth; sent by the Deal-Castle a letter to the earl of Sutherland, to apprise him of the flight of the rebels, and to prepare to receive them, in case they should make a push at Inverness; and traced lord Tinmouth and his associates as far as Port-Sary; where seeing a ship of war ready to intercept them, they despaired of success on the coast, and therefore they joined the clans on the 10th instant, and took to the mountains. All the ships kept the sea diligently, when wind and weather would permit, and observed the motions of his majesty's army so carefully, that the duke of Argyle did not pass through any sea-port town without finding some ship ready to put in execution any service his grace might have had to propose. On the 21st Sir John Jennings had advice from my lord Lovat, that a vessel with the pretender's plate, and other effects on board, and a considerable sum of money for his use, had lately put into the Lewis; and that many of the chief of the rebels were making off towards the isle of Sky, and other north-west-

islands:

the supplies he expected from France, and watched his person so narrowly, that he kept him a considerable time on that side of the water, to the general disappointment of the rebels. By his repeated memorials to the regent of France, he kept him in constant observance of the treaty of Utrecht; at least any violations, that were made, were only by connivance; in which cases the earl was never silent, as appears by two memorials; the one writ while the pretender was in Scotland, and the other after he had abandoned it (e).

The facts contained in the first memorial were too well vouched, for the regent to deny them; and it was difficult to find any evasion to reconcile them to the engagements.

' islands: whereupon he immediately ordered the Drake-sloop thither, with instructions to cruise about the Orkneys, if the wind should then be contrary; and by express directed captain Stuart of the Aldborough to dispatch the Happy-sloop thither, and to cruise himself with the Lively for fourteen days about the islands of Islay, Mull, and Canna, to endeavour to intercept the rebels or any vessels for their relief.'

(e) The first memorial, dated in January 1715-16, was in the following terms:

The underwritten earl of Stair, minister of the king of Great-Britain at the court of his most christian majesty, represents to his royal highness the duke of Orleans, regent of France, that although his royal highness has several times assured the said earl, that he would faithfully and punctually observe the treaty of peace concluded with Great-Britain at Utrecht, and that he would not suffer any arms, ammunition of war, officers, or soldiers, to sail from

any harbour of France for the service of the pretender; and that his royal highness had accordingly sent strict orders to all the harbours in the kingdom for that purpose; it is nevertheless apparent, that things of this nature are daily embarked, and shipped off in the ports of France, without any opposition on the part of the officers commanding there. The late duke of Ormond and the pretender have frequently gone on board ships at St Malo, that were known to be laden with arms and ammunition for the service of the pretender; and that with so little circumspection, that they have been attended with a whole troop of horse, with their officers of the regiment of Nugent, all of them in their regimental cloaths, arms, and accoutrements, without meeting with any opposition from the commanding officers of the most christian king at St Malo. The pretender, finding it not adviseable to venture to embark there, set out through Normandy to embark at Dunkirk; and the late duke of Ormond,

1715.

ments of the court of France in the treaty of Utrecht; for which reason he did not incline to give any answer. But the affairs of the pretender taking a different turn, and he being obliged to leave Scotland, and being again arrived in France,

mond, not finding it safe to land in England, returned to Morlaix. During his absence, his royal highness did the earl of Stair the honour to tell him, that he would cause the said troopers of the regiment of Nugent to be punished as deserters, if they returned to France; and the marshal d'Uxelles assured him, that he would cause them to be hanged. They are now returned, and have joined their regiments: the sieur Befach and his company, the arms and ammunition, which the late duke of Ormond had with him for his enterprize, are still at Morlaix, and have been removed only from one ship to another. The commanding officer is so far from commanding those arms to be stopped, that he refused to cause the ship to be searched, though he was desired to do so by captain Campbell, commander of the English man of war lying in the harbour of Morlaix.

Several ships, with arms, ammunition, money and officers, for the service of the pretender, are sailed within these six weeks past, from Dieppe and Havre-de-Grace, which are actually arrived in Scotland. And lastly, a ship sailed the 17th of this month from Havre-de-Grace, in sight of an officer of the king of Great-Britain, who having represented to the marquis de Roveray, that there were twenty officers, both at Havre

and Harfleur, ready to go on board to follow the pretender to Scotland; and desired the marquis to give orders to prevent their embarkation, the marquis answered, that what he said might possibly be true; but that he could not hinder the officers from going on board, having no orders from court so to do. The earl of Stair has, several times represented to his royal highness the regent, and to the marshal d'Uxelles, that several generals, colonels, and other officers, who are actually in the service of France, designed to go over to Scotland, and join the rebels, and even has given a list of them to the marshal; which generals, colonels, and officers are still at Boulogne, Calais, Dunkirk, and other places thereabouts, ready to embark for Scotland, having been detained only by the contrary winds and great frosts; the commanders of the said places alledging that they have no orders from court to hinder the said officers from imbarking. The said earl of Stair finds himself obliged to represent these things to his royal highness, that he may see, whether his orders have been punctually executed, and consider whether Great-Britain has reason to believe, that the treaty of Utrecht is faithfully executed. His royal highness is desired, at the same time, to cast an eye on the said treaty. Furthermore, the said earl

France some days after the first memorial was delivered, the earl of Stair presented a second, to prevent his or any of his adherents being sheltered in that court (f).

The

earl of Stair finds himself obliged to notify to his royal highness, that the said late duke of Ormond, and several other conspirators against their king and country, set out some days since towards Bourdeaux and Bayonne; and that they have assembled on the coast of Gascoigne a great quantity of arms and ammunition, with ships to make a descent (as the court of St Germain's give out) in Ireland, and cause a rebellion there, which that court flatters themselves will not only be supported with money, but also with troops from France. The earl of Stair, who has so ardently desired to establish and maintain a good sincere friendship between the king his master and his royal highness, finds himself very uneasy to have representations to make about matters of so great importance, which are of so nice a nature, and tend to alienate the affection of the two nations from each other, and provoke them so far, that dismal consequences may ensue thereupon, if speedy care is not taken to prevent them.

(f) The second memorial ran thus:

The earl of Stair, minister of the king of Great-Britain, to his most christian majesty, by express order from the king his master, notifies to his royal highness the duke of Orleans, regent of France, the flight of the pretender, and the dispersion of the rebels in Scotland; which

his majesty is persuaded will be very acceptable to his royal highness, by reason of their near relation, and the strict friendship, which his majesty has carefully cultivated with his royal highness.

The treaty of Utrecht being so lately concluded, the king thought himself sure, that his royal highness, regent, would have taken proper measures to hinder the pretender from setting foot again in France. But since the pretender has found means to return thither, his majesty persuades himself, that his royal highness will oblige him, as soon as he has notice of it, to quit the kingdom.

His royal highness has too much reason and penetration not to see the whole weight and justice of this demand. Great Britain cannot be either safe or quiet so long as persons, who have conspired and undertaken with an armed force the ruin and subversion of their country, are received and supported in its neighbourhood; nor can France itself be sure, that they shall not be again exposed to bear the blame of their evil practices.

The king of Great-Britain and the nation thought themselves very safe on the side of France by the solemn treaty of Utrecht, which for ever excludes the pretender from France, and obliges France to give him no succours, nor ships, nor arms, nor ammunition, nor

money,

1715.

The pretender, upon his return to France from Scotland, being persuaded, that the lord viscount Bolingbroke (who had

money, nor officers nor soldiers, nor councils, directly or indirectly. These gentlemen came over, and demanded refuge and protection in France, where they are no sooner arrived, but taking advantage of the conveniency of the neighbourhood, and the facility of correspondence by letters, they plot and contrive a black and detestable treason against their country, which, upon the faith of the treaty, was disarmed and defenceless. And, notwithstanding the treaty, they find means to get entrance for the pretender into France, and by their intrigues procure him ships, arms, ammunition, officers, soldiers, and money; with which assistance the pretender did actually invade Britain, where he occasioned infinite damage to the nation.

His royal highness may imagine, whether Great Britain can be easy in a situation so troublesome as they would find themselves in, having these rebels in their neighbourhood, ready to carry fire and sword into the heart of their country. In this situation Great-Britain would be obliged to keep always in arms, tormented with continual suspicions and inquietudes; a condition much worse than an open war. For a people, which love to live in peace with all their neighbours, and is jealous of the preservation of their laws and liberties, his royal highness may see by the unanimous addresses of both houses of parlia-

ment to the king, with what an eye the nation beholds this boisterous and unsettled situation. The king hath the happiness of his subjects too much at heart, not to come with eagerness into their sentiments and interests; and he flatters himself, that upon this account his royal highness will not refuse him so just a proof of his friendship, and of the desire he hath to maintain a good understanding between the two nations.

For the same reasons the king of Great-Britain hopes, that his royal highness will be pleased to join effectual instances with those of his majesty, to the duke of Lorrain, to the end the said duke may not permit the pretender to return into his dominions.

The earl of Stair is ordered likewise to put his royal highness in mind of the declaration he made, that the officers in the service of France, who should follow the pretender in the invasion of Great Britain, should be broke; and the king is persuaded, that his royal highness will not suffer the general officers, colonels, and others, who have followed the pretender in the rebellion, ever to be employed again in the service of France; and that if it happen, that some of the said officers should return, or be already returned into France, his royal highness will punish them in such a manner, that it may appear his royal highness and this government do loudly disapprove of their proceeding

had entered into his service as secretary of state to him, and continued in France, in order to send supplies to him into Scotland) 1715.

ceeding formally, contrary to the treaty of Utrecht.

To the end there may be no mistake in so nice and important a matter, the earl of Stair hath orders to demand an answer in writing to his memorial, which he is earnestly desirous may be such, as may contribute towards the restoring of a good understanding between the two nations.

The regent's answer to this memorial was as follows :

His royal highness, being unfeignedly desirous of advancing the glory and prosperity of the king of Great-Britain, heard with so much the greater pleasure of the success of his arms in Scotland, because, at the same time that this event secures the tranquillity of the kingdom of Great-Britain, it will put a stop to the false reports, that have been spread without foundation by the enemies of the publick peace, with design to alter the truth and friendship, which the king is desirous to preserve with the king of Great-Britain, and which hath always been one of the principal objects of his royal highness's views. And, as he will punctually fulfil the treaty of Utrecht, he hath already employed the authority he is intrusted with to make the chevalier de St George depart the kingdom, and will continue to make use of the same authority, to oppose his coming into

it again at any time, or under any pretence whatsoever,

As for the fugitives, who are come into this kingdom from England, or who may hereafter come over, though no body is ignorant what the laws of refuge are in foreign states, his royal highness being desirous to convince the king of Great-Britain how far the king is from suffering any person whatsoever to abuse the sanctuary of his kingdom, as to maintain in Great-Britain an intelligence capable of disturbing her tranquillity, he will, in concert with the king of Great-Britain, enter into any measures, which shall be thought proper for preventing such an abuse, and for keeping up a good understanding, by removing every occasion of distrust. And, to shew besides how far his majesty is from bearing with the rashness of those, who dare to act contrary to his intentions, he has caused the ordinances to be strictly executed against such of the officers of his troops as went out of the kingdom without his leave.

If it be true what the earl of Stair says, that England was disarmed upon the faith of treaties, it is no less certain, that no person whatsoever can say with truth, that ever his majesty had a mind to take that opportunity to disturb it, nor that he hath granted any succours to the chevalier de St George. It is well known on the contrary, that his royal highness hindered the sus-

1715.

Scotland) had been faulty in the execution of his office, sent the duke of Ormond to him for the seals, and removed him from all employments under him. This occasioned a controversy (under his direction) by letters between his secretary Mr Brinsden, and Mr James Murray, afterwards made earl of Dunbar by the pretender (g).

During

pected armaments and embarkations, when he had notice of them; and nothing better proves, that the chevalier de St George was not assisted by France, than the condition he was in in Scotland, destitute of all things necessary for such an enterprize.

His majesty sees, with pleasure, the marks of a perfect intelligence between the king of Great-Britain and his parliament, since this must be the most solid foundation of the glory of that prince, and the happiness of his subjects. His royal highness will always have a great concern therein. As he very truly desires to keep his Britannic majesty's friendship, so he will omit nothing, that may shew him how glad he is of the testimonies he receives thereof; neither will he interpose, directly or indirectly, to hinder the duke of Lorrain from granting, upon the instances of the king of Great-Britain, what he shall be pleased to ask of him with relation to the chevalier de St George's residence in his territories. And, as he hath a real concern for the satisfaction of his Britannick majesty, he will see, with a great deal of pleasure, whatever may contribute towards it. But his royal highness is persuaded at the same time, that the king of Great-Britain will not desire him to take any measures with a prince,

over whom the king hath no authority, which cannot be grounded on any solid foundation, and which would add nothing to the rendering effectual the powerful instances of his Britannick majesty. An answer, conceived in terms so plain and particular, ought to evince to all mankind, what are the true intentions of the king; and leaves no manner of doubt or obscurity in relation to the sincere desire his royal highness has always had carefully to preserve the amity of the king of Great-Britain, and to contribute in whatever depended upon the authority he is intrusted with, to the establishment and preservation of a good correspondence and perfect friendship between the king and that of England.

(g) These letters were printed at London, 1735, in 8vo. but immediately suppressed. As they contain several curious particulars, it may not be improper to insert them at large, with the prefixed charge against the lord Bolingbroke, sent from London, March 16, 1716, by the agents of the pretender, in relation to the affairs of Scotland, during the rebellion of the late earl of Mar, as contained in the following letters between his lordship's secretary and Mr Murray. By the asterism [*] is to be understood the pretender.

The

During these proceedings, Lewis XIV. of France died at Versailles on the 1st of September, N. S. 1715, in the 77th year of his age almost completed (having been born on the 5th of September, 1638) and in the 73d year of his reign, which began May 14, 1643. His death produced a sort of revolution in the government of France. The king, by his will, had placed the administration of the government in a council, of which the duke of Orleans was chief. But the duke was not, by his authority, to decree any thing, or issue any order in the name of the minor, without the advice and consent of the council. The day after the king's death the duke of Orleans (attended as the kings of France usually are on the like occasions) came to the parliament of Paris, and, after the king's will was opened and read, complained of a disposition so contrary to the laws of the realm, and so prejudicial to his right. He therefore moved, that the will should not be registered, but that

1715.

The death of
Lewis XIV.The duke of
Orleans
made regent.

The articles against lord Bolingbroke are as follow :

I. Lord Bolingbroke was never to be found by those, who came to him about business. If by chance or stratagem, they got hold of him, he affected being in a hurry, and, by putting them off till another time, still avoided giving them any answer.

II. The earl of Mar, by six different messengers, at different times, acquainted lord Bolingbroke, before the * came from Dunkirk, of his being in distress for want of arms and ammunition, and prayed a speedy relief; and though, the things demanded were in my lord's power, there was not so much as one pound of powder sent in any of the ships, which by his lordship's direction parted from France.

III. The * himself, after his arrival, sent general Hamilton to inform him, that his want of

arms and ammunition was such, that he should be obliged to leave Scotland, unless he received a speedy supply. Lord Bolingbroke amused Mr Hamilton twelve days together, and did not introduce him to any of the French ministers, though he was referred to them for a particular account of affairs, or in all that time so much as communicated his letter to the queen or any body else.

IV. The count de Castell Blanco had for several months at Havre a considerable quantity of arms and ammunition, and did daily ask his lordship's orders how to dispose of them, but could never get any even to the hour the * landed in France.

V. The *'s friends at the French court had, for some time past, no very good opinion of his lordship's integrity, and a very bad one of his discretion.

K k 3

VI For

1715.

that the parliament should adjudge the regency to him without any restriction. They immediately complied with his motion, and adjudged the regency to him, with power to nominate such subordinate councils for preparing all affairs to be laid before him, as he should think fit. Lewis XIV. was succeeded by his great grandson Lewis XV. son of the duke of Burgundy (who was dauphin after the death of his father) and of Maria Adelaïda of Savoy. Lewis XV. was born the 15th of February 1710, and was between five and six years old when his great grandfather died. He was the third successive minor that came to the crown of France, since the death of Henry IV.

The duke regent was son of the duke of Orleans, brother of Lewis XIV. and was then in the 41st year of his age. He was married, in 1692, to one of the late king's natural daughters.

He began his regency with an act of justice and prudence. The edicts of the kings of France formerly had not the sanction of laws, before they were registered in the parliament of Paris, whose undoubted right it was to examine them; and, in case they contained any thing against

VI. For at a time, when many merchants in France would have carried privately any quantity of arms and ammunition into Scotland my lord desired a publick order of the regent for the imbarcation; which, being a thing not to be granted, is said to have been done, in order to beg a denial.

VII. The * wrote to his lordship by every occasion, after his arrival in Scotland; and, though there were many opportunities of writing in return, yet from the time he landed there, to the day he left it, he never received one letter from his lordship.

The lord Bolingbroke in his first letter, after he received these articles, wrote as follows:

' The * and earl of Mar, and
' the others, who came from
' Scotland, are so much in want
' of any excuse for their flight,
' that they have thought fit to
' have my lord Bolingbroke
' discharged the *'s service in
' the most abrupt and injurious
' manner, under the pretence,
' that the want of powder,
' which he delayed to send,
' forced them to abandon Scot-
' land. His lordship says pub-
' lickly, 1. That he is able to
' prove, that, if they wanted
' powder, it was not by his
' fault. 2. That, according to
' what the * and the earl of
' Mar both say in their letters,
' they must have come away as
' they did, had they had all
' the powder of France. 3.
' That, if they had pleased to
' have staid in Scotland a few
' days

1715.

against the laws of the realm, to remonstrate against them. But the late king had deprived the parliament of that liberty in the year 1667, since which time they had been compelled to register all his edicts, without being permitted to make any representation against them. The regent restored this privilege to them by an edict, which was registered a few days after the king's death. At the same time he caused to be registered a declaration, containing a scheme of government to be observed in the kingdom during the king's minority. Pursuant to which he named, besides the council of regency, six other councils, and, by that means, a new way of administration in the government was introduced.

* By the death of Lewis XIV. the affairs between Great-Britain and France stood upon a very different foot than before. The regent, by virtue of king Philip's renunciation, and the death of all the princes in France, sprung from Lewis XIV. was become next heir to the minor king, and consequently it was his interest to cultivate the friendship of

' days longer, they would have
' received near ten thousand
' arms, and above thirty thousand weight of powder, and
' other stores in proportion.
' And, lastly, That the true
' reason flows from another
' source, and that he knew and
' spoke of the design to discard
' him, long before the want of
' powder was so much as talked
' of. That he is unwilling to
' enter into the particulars of
' those general heads for reasons, that may be easily guessed, since he is persuaded,
' that he shall not pass for a
' driveller nor traitor among
' his friends.'

The second letter was wrote by lord Bolingbroke's secretary, in the following terms :

April 4, 1716.

I have communicated to his lordship what you wrote to me ;

and it is by his lordship's order, that I give you the following answer :

The charge, that you have sent over, is so full of improbable lies, that his lordship can hardly imagine it can have any other effect, but the shame and confusion of those, that brought it ; which is the effect of that villainous and ungrateful treatment, that those people have given, and my lord has met with in this country, where they are equally despised for their folly, and detested for their immorality, by all the people of consideration.

My lord has hitherto had two other reasons for his silence :

The first is, That he cannot very fully explain the articles of his not sending arms and ammunition into Scotland, without betraying the secret of those, by whom he has been trusted.

K k 4

and

1715.

of such states as were likely to support his title against the king of Spain, and particularly of England. It was his business to seek all means for weakening the only prince in the world, that had any right to dispute his succession, or oppose his views. Hence his accession to the quadruple alliance; his promoting, or at least conniving at the destruction of the growing naval power of Spain in 1718; his stipulation in favour of Don Carlos, in order not only to divert Spain from forming designs against his power in France, but to weaken Spain by increasing her expences. To these measures the regent was carried, in order to divert and weaken king Philip, and king George undoubtedly went into all his ambitious views, as the only means to retrieve the fatal mistakes of the treaty of Utrecht. But the fruits of all these proceedings were entirely lost by the death of the regent, and the birth of a dauphin, and instead of facilitating the succession of the house of Orleans, and thereby dividing the house of Bourbon for ever, they proved the foundation of all the expensive disputes, which subsisted many years between Great-Britain and Spain, as will appear in the course of the history.

A

and under whose protection he lives.

And the second is, That he cannot give the true reason of the ill usage he has received, without exposing some characters in such a light, as will shock every body. However, you shall have as much as can be at present given of the state of things on this side of the water; of the method English business is put into; and of the hands that are trusted with it. After which you will pity my lord, and not blame him.

When he returned last summer out of Dauphiné, and at the desire of his friends engaged in this business, he found himself immediately exposed to a daily struggle with difficulties of three sorts. The first arising

from the rivetted prejudices of one person. The second, from the impossibility of keeping the queen, and the whole rabble of the court of St Germain's, from meddling in business. And the third, from the cabals of French and English, men, women and children, people for the most part of no name in the world, or else of very bad characters, who had been let into the most secret parts of business, and expected to continue so.

To get over the first of these difficulties, my lord saw would be the work of time; but he saw likewise, as the latter was begun, the harder it would prove; and that any yielding to those prejudices increased, and strengthened them. He there-
fore

1715.

Proceedings
of the Irish
parliament.

A parliament having been called in Ireland, and the duke of Grafton and the earl of Galway (who had been appointed lords justices, upon the earl of Sunderland's resignation of the post of lord-lieutenant of that kingdom) being arrived at Dublin, the two houses met there on the 12th of November, and Mr Connolly was chosen speaker of the house of commons. The peers began with a bill for recognizing the king's title to the crown, and the commons with several bills for the further security of his person and government; namely, a bill to attain the pretender, and give a reward of fifty thousand pounds for his head; and for attainting the duke of Ormond, giving the crown his estate, and ten thousand pounds reward upon his head.

These bills were followed by a retrospect upon the councils of the late reign; and a resolution was unanimously

fore began upon the first, and continued upon every occasion to combat them with great decency, but with great firmness, contrary indeed to the opinion of others, who imagine it will be time enough to talk of those things, when his lordship thinks it will be too late.

As to the people of the court of St Germain's. my lord knew enough of England, and France too, to know they would be a load upon business, but no help to it. In England they are odious, and in France in contempt. The first is not very strange; for you may depend upon it, that twenty eight years experience had not made them wiser in any degree. And the latter is so true, that my lord affirms, that he never yet spoke of English business to any man of figure on this side the water; but before he would give any answer, he exacted, that the court of St Germain's (no one person excepted) should not know any thing of it.

With this set of people, and a whole tribe of Jesuits, my lord therefore avoided all sorts of commerce before the duke of Ormond arrived. He would not so much as see any of them, before his grace came, and thought fit to open his door to them. My lord could no longer avoid seeing them; but he never would enter into any familiarity with them. He chose three or four persons of sense and activity. Some of them were protestants, and others were very indifferent Roman catholicks. Those he employed were as many as he wanted. During this time, that my lord, much against his will, was obliged to reside at St Germain's, he observed the same conduct, and never associated with any one man there but the duke of Berwick, who is not to be reckoned of the court, though he has lodgings in the house, who has a hundred times more capacity and credit than all the rest put together, in concert with whom

1715. mously passed against those, who advised the queen to pro-
 { rogue the late parliament, at a time when a bill to attain
 the pretender was depending; and they were voted to be
 enemies to the succession, and favourers of the pretender
 and popery. They proceeded, in the next place, to bring
 in a bill to prevent tumults, rebellious, and riotous as-
 semblies. All these bills, together with the supplies de-
 manded, went through the houses in the usual forms, with-
 out the least opposition; and, being ratified in England,
 received the royal assent. But they did not end here: for,
 on the 17th of November, the commons, while the pub-
 lick accounts, which were ordered to be laid before them,
 were preparing, entered into an inquiry, which brought
 a great many of their members on their knees. The last
 house of commons, in the queen's time, had addressed her
 against Sir Constantine Phipps, at that time lord-chancel-
 lor of Ireland, and one of the lords justices of the king-
 dom, desiring her to remove him from his employments.
 But,

whom my lord all along acted,
 and by whose judgment he is
 willing to stand or fall.

With the other cabal of peo-
 ple, that I mentioned in the
 third place, my lord had at first
 some little communication, for
 he was thrown into their hands;
 but as soon as he knew of their
 persons, and informed himself
 of their characters, he broke
 all measures with them, and
 the rather as they were made
 use of as people, who intended
 to do nothing, only to amuse
 those on this side the water, and
 by that means our friends on
 the other side: and for this use
 they were indeed very proper,
 since they are so inconsiderable,
 that they may be at any time
 disavowed, without the least
 consequence.

But the thing, that principally
 shocked my lord, was to find
 the source of all business, and
 even the heads of the best and

dearest friends, trusted to the
 keeping of a multitude of peo-
 ple, some of whom, both men
 and women, of the vilest cha-
 racters.

The third letter was as fol-
 lows:

April 8, N S. 1716.

It is easy to imagine all those
 nests of hornets flew about my
 lord's ears immediately, and
 that with the greater spirit, be-
 cause the duke of Ormond ob-
 served a quite contrary conduct.
 It was more than six weeks be-
 fore the return out of Scotland,
 and consequently long before
 the six articles mentioned in
 your letter were prepared, or
 any other of the pretences
 against my lord invented, that
 we knew of the union of the se-
 veral cabals, in order to get rid
 of him: and that he spoke to
 several of his acquaintance of it.

He

But, as this address seemed not to be very acceptable to the queen, or to the counsels of that reign, there were many counter addresses procured, and sent up from the several counties and towns in Ireland, in favour of Sir Constantine, desiring he might not be removed, notwithstanding the address of the commons. This the house esteemed a breach of the privilege of parliament, and resolved to shew their resentment against these addresses, especially such as were members of the sitting parliament. Accordingly they appointed a committee to inquire who had signed these addresses, and many were censured or brought to acknowledgment upon that account. Then they addressed the lords justices for a proclamation against the popish inhabitants of Limerick and Galway, who presuming upon the construction they thought fit to put upon the articles of capi-

He was not much concerned at it, being from the first resolved to serve upon a protestant and English bottom, or no to serve at all. And he confesses, that he did not imagine that the duke of Ormond, for whom he has always had a very particular respect, would ever have been drawn in, to put himself at the head of a party on this side the water, and indirectly (for he is far from designing any such thing) to do the work of the factions abovementioned. My lord knew indeed, and knew with great sorrow, that his grace gave so much ear to them, and suffered the stories, they had told him, to make so great an impression upon him.

When the resolution was taken of leaving Scotland, and the principal persons returned hither, it was judged a proper time to make the utmost effort against my lord; and perhaps there were people who thought that the loading of him would excuse the precipitation, where-

with Scotland was abandoned, if that precipitation needed any excuse. Then were these articles against my lord formed, and false reasons invented, where the true ones were not to be owned. My lord was discarded with all the circumstances of provocation possible: he was treated, as far as it lay in the power of those, whom he served, with an affectation of indignation and contempt: as soon as the step was made, the tongue of every fellow, that could be encouraged to slander, was let loose.

Having thus given a general view of the state of things on this side the water, and the true account of the animosities against my lord, I shall, in very few words, refute the six articles you sent me over.

That my lord was seldom to be found, with any direct answer to their business, is true, if by people is meant any such, as, in the former part of what I have writ, are designed; if by

1715. capitulation made with king William, for the surrender of those places, had claimed an exemption from the penalties and process upon the other laws against papists: upon complaint whereof to the house this address was founded.

Whilst the bills were sent to England to be ratified, the parliament adjourned to the 6th of January. Upon their meeting on that day, the lord viscount Dillon came into the house of peers, and, delivering his writ, took the oath of allegiance; but being asked, Whether he could take the other oaths? He said, 'He would consider of it,' and then withdrew. Upon this the lords resolved, that no peer should have parliamentary privilege, till he had taken and subscribed the other oaths, in the act to prevent 'the further growth of popery.' This done, the lords entered into an association to defend the king and the protestant succession, against the pretender, and all his open and

by people is meant any one man, who could be of use, or was not fit to be trusted, the accusation is false. My lord never looked upon himself to be under any obligation of conversing, in order to carry on business, with a set of people, against whom he would have done his utmost to have shut the door, if the business had gone prosperously on.

As to the second it is true, that my lord Mar wrote for arms, for ammunition, for money, for officers, and last, for a body of troops; but, till the arrival of Mr. Hamilton, my lord did not understand there was any particular want of powder, more than of any other species. My lord used his best endeavours to procure all that was desired, as well as other assistances, much more considerable, which had never been asked for, or thought of, and which would have been procured, had the business of Scotland

kept alive a little longer, and had other people done their parts as my lord did his. Most of the vessels sent to Scotland were barks, fit only to carry passengers, and not capable of transporting arms and ammunition. By these conveyances however several sums of money were sent, and particularly sixty thousand livers in gold at one time, of which so good care was taken, that every farthing of it was lost: arms and ammunition were to be got but two ways. They were either to be bought and sent into Scotland, or such quantities, as had been before promised, were to be made use of. That there was not one farthing to buy them with, is true, that my lord may appeal to those of St Germain's, who had the management of the money, upon this head. The little cash that was procured, was either sent in specie to Scotland, or employed in answering the bills, that were constantly

and secret abettors. The commons likewise entered into the like association; and also resolved, That, whatever forces the king should think fit to raise, or what expences he should think necessary for the defence of the kingdom, they would enable him to make good the same. It was strongly reported, that, the day the association was brought into the house of peers, two lords, one of whom was the earl of Anglesey, embarked for England, to avoid signing it. The archbishop of Armagh and the bishop of Corke refused also to sign. Soon after the commons resolved, That whoever advised the disbanding or breaking a great part of the army, immediately after the unseasonable prorogation of the late parliament, when a bill to attain the pretender was under consideration, were enemies to the protestant succession, and designed to bring in the pretender and popery. After which it was voted, That the earl of Anglesey was one of the principal advisers to break the army, and prorogue the parliament, and was therefore an enemy to the king and kingdom. This was followed with an address for the earl's being removed from the

ly drawing from the coasts. And besides, if money had not been wanting, the necessary orders for buying, conveying to the coasts and imbarcking, could not have been procured. My lord imagines when the duke of Ormond reflects, he cannot but be sensible of this truth, since he cannot be ignorant that a quantity of arms, he thought himself sure of in October, were in February still in the same place, and no nearer being sent than the first day. As for sending such arms and stores, as were already provided, my lord knew of but two parcels; one, and that a small one, might have been in Scotland in October or November, had the directions given by my lord been pursued. Why they were not, he will not say; but the fault is, that those arms and stores are at this

hour rotting in a magazine at Morlaix, where they have lain these five months. As to the other parcel of arms and stores, it is that which you call count Castel Blanco's, and contains a very large quantity of both. This Castel Blanco is a Spaniard, who, by the merit of marrying lord Melfort's daughter, sets up for a manager of English business. But that those arms and stores belonged to him, is no more true, than that other report, equally current, of his having advanced one million and seven hundred thousand livres for the service of England and Scotland. His name had indeed been made use of for buying those arms and stores in the late king of France's time; and his name was to have been made use of again, if, at last, on that pretence, the French king

1715.

the king's council and service; which was complied with. The lords justices also thought fit, at that juncture, to secure several suspected persons, as the earl of Antrim, the earl of Westmeath, the lord Nutterville, the lord Cahir, the lord Dillon, and some others, and then adjourned the two houses to the 8th of March.

The parliament meets,
Jan. 9.
Pr. H. C.

The parliament met in England on the 9th of January, when the king made the following speech to both houses:

My lords and gentlemen,

The king's
speech.

“THE zeal and affection to my government, and the vigilant care for the safety of the nation, which you have shewn in your respective counties, have not only fully answered my expectations, but give me assurances, that you are met together, resolved to act with a spirit becoming a time of common danger, and with such

“ a

king would let them go; which is still a doubtful point; and to cover them as arms and stores going for Spain, and intended for the West-Indies. It is silly to say, that orders from my lord were wanting to send them. These orders must have been of another kind; and such orders could not be got sooner, or in any other manner than they were got. This is a point my lord cannot speak plain upon; and it must therefore rest here, whether this Castel Blanco, one Mr Franc, and such other meddling people, deserve the best credit. I think it proper, however, to add, that in a fortnight's time, after there was the least appearance of being able to send away the stores and ships, and all other measures necessary were got ready and prepared, without any noise or the least suspicion, they might have been in Scotland, had they not been

at last stopped by the French (which I still say is a doubtful point) in five or six days time, when my lord Mar and his company from Scotland landed at Gravelin; from whence orders, as I afterwards heard, were sent to every place, to stop all manner of embarkation.

What is said, under the second head may serve as an answer to the fourth, as well as to the second letter,

As to the third article, upon general Hamilton's arrival, my lord represented where it was proper all that he brought by letter and by word of mouth, the very next morning. It is therefore a simple lie, and worthy of those, who scribble from this side of the water, to say, that general Hamilton was amused for twelve days, as if, during all that time, the purport of his message had been kept a secret. It is to be supposed,

“ a vigour as will end in the confusion of all those, who
 “ have openly engaged in this rebellion, and in the shame
 “ and reproach of such, as by secret and malicious insinua-
 “ tions have fomented, or, by an avowed indifference,
 “ encouraged this traiterous enterprize.

“ It is, I doubt not, a great satisfaction to you, to have
 “ observed, that the powers, you intrusted me with for
 “ the preservation of the publick safety, have been em-
 “ ployed in the most proper and effectual manner, and
 “ made strictly subservient to those purposes only, for
 “ which you intended them. And you must have had the
 “ pleasure to reflect with me, that as the measures taken
 “ for our defence have been just and necessary; so it has
 “ pleased the divine providence to bless them with a series
 “ of suitable success. And I cannot but take this opportu-
 “ nity of doing justice to the officers and soldiers of the ar-
 “ my, whose brave and faithful discharge of their duty has
 “ disappointed our enemies, and contributed so much to
 “ the safety of the nation.

“ I

posed, that the regent's and the
 *s ministers would not have
 conferred with a man of his cir-
 cumstances, and who came on
 such an errand; but if supposing
 they had not these scruples, of
 what use was it for them to see
 him, when he could tell them
 nothing more than they knew
 already? But, be that as it will,
 I can assure you, that my lord,
 if he could have given him the
 opportunity, would, which, it
 seems, so much weight is laid
 upon.

The fifth article of that let-
 ter contains the most impudent
 falsehood, that ever was invent-
 ed. Without money, and the
 orders abovesaid, no merchant
 could or would undertake to
 transport any quantity of arms
 or ammunition; and I am able
 to cite some very great bargains
 of this kind, which my lord
 brought to bear, which failed

at last, for want of money, and
 the necessary countenance. The
 latter part of the article is an
 accusation of incredible weak-
 ness, my lord is said to have in-
 sisted on a publick order, and
 to have declined making use of
 private methods for the im-
 barkation of arms and ammu-
 nition. I remember indeed, that,
 when preparation was made for
 sending away the arms and am-
 munition from Havre, as if they
 were going for Spain, and
 a ship had been provided for
 that purpose by my lord, which
 no man living suspected, he had
 the greatest difficulties imagin-
 able to keep these wise people
 from imbarking part of the
 stores aboard a vessel, which
 every body knew to belong to
 the chevalier. As to the sixth
 article, no body is better able
 to answer it than myself, since
 I entered all the letters which
 my

1715.

“ I did hope, that the detecting and preventing the designed insurrections in some parts of the kingdom, and the defeating in others those, who had taken up arms against me, would have put an end to this rebellion. But it is plain, that our enemies, animated by some secret hopes of assistance, are still endeavouring to support this desperate undertaking; and the pretender, as I have reason to believe, is now landed in Scotland.

“ It is however with pleasure I can acquaint you, that notwithstanding these intestine commotions, Great-Britain has in some measure, recovered its influence and reputation abroad. The treaty for settling the barrier for the Netherlands is now fully concluded between
“ the

my lord writ; and there was no less than five dispatched before Mr Hamilton came into France, by whom my lord received the first letter of business after the *’s landing there. Some of those were lost at sea, and the three last packets were brought back to my lord, the gentleman, that carried them, being arrived too late in Scotland.

This, sir, I give you by my lord’s direction. He ordered me to add, that he employed the utmost diligence he was master of; and he believes it sufficient to carry him through such work as he has been concerned in of late, since it carried him formerly through his business of another-guests fort. That he all along saw, there was nothing but mortification to be met with, and reputation to be lost, among the people, with whom he had to do; and that it was impossible for a man to act upon the principles he brought out of England with him, and have kept his ground here. That he never had any correspondence, directly or indirectly, with my lord Marlborough, or any man

belonging to the court of England, since he engaged in this business. That he defies his worst enemies to advance the least shadow of proof of any thing of this kind. That, as he was incapable of betraying a trust while it subsisted, so it is with the utmost reluctance, that, in his own justification he is obliged to say what he has said; and that he shall be very sorry if the same necessity oblige him to say more. That nothing shall ever oblige him to repair his fortune at the expence of betraying any man; but that, since he is treated in this violent manner, he thinks himself at liberty to give his friends a true state of the fact, and to declare, that he never will, upon any account, or upon any solicitation, serve the same people again, that he has withdrawn himself almost intirely from the world; and that in his retreat he shall heartily pray for the prosperity of his friends, and of his country; and, without very much fear of what is to come, comfort himself with the testimony of a good conscience.

The

“ the emperor and states general under my guaranty. The 1715-16.
 “ king of Spain has agreed to a treaty, by which that va-
 “ luable branch of our commerce will be delivered from the
 “ new impositions and hardships, to which it was subjected
 “ by the late treaties; and will stand settled for the future,
 “ on a foot more advantageous and certain, than it ever
 “ did, in the most flourishing time of any of my predeces-
 “ sors; and the treaty, for renewing all former alliances
 “ between the crown of Great-Britain and the states-gene-
 “ ral is brought very near to its conclusion.

Gentlemen of the house of commons,

“ I must rely on your affection to me, and your care
 “ and concern for the safety of the nation, to grant me
 “ such supplies, as may enable me to restore, and to secure
 “ the peace of the kingdom; and I will order estimates of
 “ the necessary expences to be laid before you.

“ Among the many unavoidable ill consequences of this
 “ rebellion, none affects me more sensibly, than that ex-
 traordinary

The fourth letter was as fol-
 lows:

Paris, April 14, 1716.

I hope you have received my
 last of the 9th instant, which,
 with my former, will give you
 a light into affairs here, and be
 an answer to the articles you
 sent. There are abundance of
 things more my lord could say
 to clear himself, but he rather
 chuses to be silent.

Those on this side, who first
 raised the storm, begin to be
 sensible of their folly. My lord
 all along has acted like a wise,
 prudent, and honest man: they
 quite the contrary. And would
 they have staid a very few days
 longer in Scotland (which every
 body now agrees they might
 have done) they would have had
 such assistances, which in all
 probability must have restored
 them.

There are many more cir-
 cumstances, which I am not at
 liberty to mention. All is re-
 ferred to, &c.

A reply to the foregoing let-
 ter:

S I R,

I had the favour of yours,
 and return you thanks for the
 copies you inclosed of the letters
 writ by the lord Bolingbroke's
 orders, the first of which was
 without a date; the rest of the
 4th, 8th, and 18th of April.
 I was pleased to find the *'s
 conduct, in removing his lord-
 ship, thoroughly cleared by the
 weakness of his defence. And
 when I read the scurrilous pas-
 sages of his letters, as that he
 was turned out in 'the most ab-
 'rupt and injurious manner,'
 and had met with 'villainous
 'and ungrateful treatment,' I

L I

was

1715 16. " extraordinary burden, which it has and must create to my
 " faithful subjects. To ease them as far as lies in my pow-
 " er, I take this first opportunity of declaring, that I will
 " freely give up all the estates, that shall become forfeit-
 " ed to the crown by this rebellion, to be applied towards
 " defraying the extraordinary expence incurred on this oc-
 " casion.

My lords and gentlemen,

" It is matter of the greatest uneasiness to me, that the
 " first years of my reign, the whole course of which I
 " wished to have transmitted to posterity, distinguished by
 " the fair and endearing marks of peace and clemency,
 " should be clouded and overcast with so unnatural a rebel-
 " lion; which, however impotent and unsuccessful a due
 " care may render it in all other respects, does most sensi-
 " bly afflict me, by the calamities it has brought on many
 " of my faithful subjects, and by those indispensable returns
 " of severity, which their sufferings, and the publick safety,
 " do

was filled with indignation to see the best of princes insulted by an unworthy subject, a negligent minister excusing his faults at the expence of his master's honour, and wiping off his own guilt by throwing it on the dukes of Ormond and Mar, who have given such unquestionable proofs of their p——y and loyalty.

Though you desire a particular answer to his lordship's letters, I am persuaded, that it is your opinion, that they do not deserve it. However, to gratify your curiosity, I will put his management of the *'s affairs in so true a light, as must convince every loyal subject of the necessity of displacing him.

His lordship's letters are not calculated so much to clear himself, as to weaken the *'s interest in England, and to discou-

rage all correspondence with him. He has given general answers to particular charges. There are evident marks of guilt and concern at the discovery of his actions in every line; and an innocent man, with his lordship's pen, could have made a more plausible defence. Before I enter into particulars, I cannot but observe, that his narrative of facts is as true as the accounts he gives of himself, that he was, ' withdrawn from ' the world: that in this retreat ' he will heartily pray for the ' prosperity of his friends, and ' comfort himself with the testi- ' mony of a good conscience.' The goodness of his conscience will appear from the discharge of the trust reposed in him: and they, who are acquainted with his lordship's character, must be surprized at his reflection on the im-

" do most justly call for. Under this concern my greatest
 " comfort is, that I cannot reproach myself with having
 " given the least provocation to that spirit of discontent and
 " calumny, that has been let loose against me, or the least
 " pretence for kindling the flame of this rebellion.

" Let those, whose fatal counsels laid the foundation of
 " all these mischiefs, and those, whose private discontents
 " and disappointments, disguised under false pretences,
 " have betrayed great numbers of deluded people into their
 " own destruction, answer for the miseries, in which they
 " have involved their fellow-subjects. I question not, but
 " that, with the continuance of God's blessing, who alone
 " is able to form good out of evil, and with the chearful
 " assistance of my parliament, we shall, in a short time,
 " see this rebellion end, not only in restoring the tranqui-
 " lity of my government, but in procuring a firm and last-
 " ing establishment of that excellent constitution in church
 " and state, which it was manifestly designed to subvert;
 " and that this open and flagrant attempt, in favour of po-
 " pery, will abolish all other distinctions among us, but
 " of

immorality and bad characters of others.

The substance of his lordship's apology for himself is, ' That, if they wanted arms and powder in Scotland, it was not his fault: That he had neither money to buy them with, nor could he obtain orders for importing them. That without money, and the necessary orders to the officers of the ports, no private merchant could or would undertake to ship off any quantity. That the * and duke of Mar say in their letters, they must have left Scotland, had they had all the arms and powder in France: and that, if they had staid a few days longer, they would have had ten thousand arms, thirty thousand weight of powder, and other stores in proportion.' And he modestly

concludes, ' That he has all along acted like a prudent, honest, and wise man, and they (that is, the *, and dukes of Ormond and Mar) quite the contrary.'

There are other particulars observed by his lordship, which shall be remarked in their proper place; and you may be assured, that I will give you an impartial narrative of facts; that I will mention nothing but what the dukes of Ormond and Mar will attest upon their honour: and if there wanted any additional proof, that the truth of every article might be confirmed by the testimony of several gentlemen of probity, who were employed.

The printed letter from an officer in the *'s army, after it had marched northwards from Aberdeen, will inform you of

1715-16. " of such as are zealous assertors of the liberties of their country, the present establishment, and the protestant religion, and of such, as are endeavouring to subject the nation to the revenge and tyranny of a popish pretender."

Proceedings
of the parliament.

The lords and commons presented severally very loyal addresses of thanks for this speech. The commons declared, they thought themselves obliged, in justice to their injured country, to prosecute, in the most vigorous and impartial manner, the authors of those destructive counsels, which had drawn down these miseries upon the nation. They began with expelling Mr Forster, general of the Northumbrian rebels, and after a remarkable speech to shew the necessity of proceeding by way of impeachment, Mr Lechmere impeached the earl of Derwentwater of high-treason, and undertook to make the impeachment good. Mr Pulteney impeached the lord Widdrington; Mr Boscawen, the earl of Nithisdale: Mr Hampden, the earl of Wintoun; the lord Finch, the earl of Carnwarth; the earl of Hertford,

the state of affairs in Scotland; and the extreme want they were in of arms and ammunition. The duke of Mar, by six several expresses, solicited lord Bolingbroke for an immediate supply. In all his letters, he assures him, that numbers of men would join him, if he had arms for them; and that he wanted powder for the few arms that he had. His lordship's excuse, that, till general Hamilton's arrival, he did not know, that there was a particular want of powder, more than of any other species, is false and frivolous; for the want of powder was specified in several letters; and his lordship understands English too well not to know, that powder is principally intended by the word ammunition.

The want of money to provide arms, is as groundless, as

his other pretensions. For, though the * did not abound in money, there was always a sufficient sum for that service. Ten shillings is the price of a new musket, and, since the reduction of the troops in France, serviceable arms were to be had at 20 d. a piece; and his lordship probably means such second hand arms by the ' great bargain he brought to bear, but ' failed for want of money.'

His lordship declines answering the charge of his insisting on a publick order, and neglecting private methods of imbarcation; and slides off into an idle story of a ship at Havre de Grace, which, supposing it true, is nothing to the purpose. He knew, that a publick order would not be granted; and he owns, that a connivance from the officers might be depended upon; and

ford, viscount Kenmure; and Mr Wortley Mountague, ^{1715-16.} the lord Nairn. Then Mr Lechmere, and the rest, were ordered to carry up their several impeachments to the lords; which being done, a committee was appointed to draw up the articles against the seven impeached lords. Mr Lechmere, chairman of the committee, in less than two hours reported, that the articles were drawn up; which, being agreed to, were carried by him to the lords the same day.

The next day, the impeached lords were all brought to the bar of the house of lords, where the articles of impeachment against them were read, and they were ordered to put in their answer on the 16th, and, upon their request, such persons, as they should think proper to assist them in their defence, were allowed to come to them.

The impeachments being lodged, the commons ordered a bill to be brought in, to continue the suspension of the Habeas Corpus act for six months longer; which was opposed by Mr Shippen. He said, 'It invaded the most valuable right of Englishmen; encouraged malicious informations, and gave a handle to those in power to oppress innocent

and therefore it may be presumed, that his conduct in this case was to amuse the *'s friends in Scotland, and cover his wilful neglect of them. His lordship's first excuse, though not mentioned in any of his letters, for not sending arms, was, 'lest the going of many ships through the channel should draw the attention of the enemy's fleet that way, and endanger the *'s passage. But, what reason can be given why arms and ammunition were not sent in the ships, that went to Scotland before the *, or in those, that followed him? Why some arms and powder were not put in every one of them, that parted from France? And as a dozen ships arrived safe, they might have carried a sufficient supply of every thing that was wanting. The smallness of the

ships is a poor plea; for, if they were fit to transport passengers, they might also have carried some powder, and some arms; and supposing they could not, why were such useless vessels provided for that service? Of what moment was it to send officers to command men, who, as his lordship knew, were neither furnished with powder nor arms? Besides, those ships, which arrived in Scotland, were each of them of sufficient bulk to carry arms and ammunition.

His lordship appeals to the duke of Ormond for the truth of a passage in his third letter, 'That a quantity of arms, which his grace thought himself sure of in October, were in February still in the same place, and no nearer being sent than the first day; and that a small parcel might have been

1715-16. 'innocent people.' Mr secretary Stanhope appealed to the whole house, Whether the king or his ministry had made an ill or wanton use of the power, with which the parliament had thought fit to intrust his majesty. And Mr Hungerford himself owned, 'The government had 'used that power with great moderation.' After which, the bill passed both houses.

On the 16th of January a bill was brought in to attain the earl of Mar, William Murray, commonly called marquis of Tullibardine, the earl of Linlithgow, and John Drummond, commonly called lord Drummond. The bill was prepared by Mr Smith, Sir Joseph Jekyll, lord Coningsby, and Mr Lechmere, and had an easy passage through both houses.

On

'been in Scotland in October
'or November, had the direc-
'tion given by his lordship
'been pursued; and that these
'arms and stores are now rot-
'ting in a magazine at Mor-
'laix.' Though his lordship
pretends an unwillingness to
mention where the fault of not
sending this supply lay, he
strongly intimates, that the duke
of Ormond was blameable in
it: and with what sincerity that
reflection on his grace was made
will be best judged from a true
account of the circumstances of
that affair.

The ship loaden with the arms
abovementioned arrived in the
river of Morlaix on the 24th of
December, when the duke of
Ormond returned from his se-
cond attempt to land in Eng-
land. W—n, the master of
the vessel, said he was too deep-
ly loaden, and too small to un-
dertake a voyage to Scotland
in that rigorous season of the
year. It was then resolved to
put them on board of another
ship, commanded by H—s,
and the only vessel that could

be procured in that port at that
time. H—s's ship was foul,
and hauled ashore to be clean-
ed. His crew were afraid of
being taken at sea, and on that
account mutinied, and most of
them deserted; and, while a-
nother crew was providing, on
the 3d of January, the Advent-
ure, and the Charles-galley, two
English men of war came into
the river, and anchored near
her. Information was given to
the captains, that H—s's ship
belonged to the *, and that
W—n was loaden with arms
for his majesty's service. Where-
upon W—n's vessel was un-
loaden in the night, and the
arms were privately conveyed
to a magazine. The two men
of war remained in the river till
the beginning of March; and it
was impracticable for H—s
to sail while they were there,
because out of the river is nar-
row, and it was impossible to
pass the men of war unobserv-
ed, even in the night. In the
mean time, the utmost endea-
vours were used to remedy this
accident: it was resolved to
carry

On the 21st of January the king came to the house of 1715 16. peers, and gave his assent to the 'Act for continuing the suspension of the Habeas Corpus.' Then the lord chancellor read the following speech of his majesty to both houses :

My lords and gentlemen,

" I Had reason to believe, when I spoke last to you, that
 " the pretender was landed in Scotland. The ac-
 " counts I have received since put it beyond all doubt, that
 " he is heading the rebellion there, and does assume the
 " style and title of king of these realms. His adherents
 " do likewise confidently affirm, that assurances are given
 " them of support from abroad. This parliament hath on
 " all occasions expressed so much duty to me, and so true
 " a regard for the religious and civil rights of my people,
 " that

carry the arms a few leagues by land, and an agreement was made for a ship, that lay out of the reach of the men of war to carry them to Scotland; but afterwards the owner's heart failed him, and he peremptorily refused to stand to the bargain. The truth of these particulars is attested by his grace the duke of Ormond, and captain Cammock's journal; and, when his lordship recollects himself, he cannot be ignorant of them.

Thus you see the true reasons of the miscarriage of the supply, that the accidents could neither be prevented nor remedied; that this 'parcel of arms might have been in Scotland in October or November, if his directions had been pursued,' though these directions were dated from Paris the 16th of December, and the ships that were to carry them, arrived in the port the 24th: that his lordship's exactness in other

points may be judged of by this small instance; and that a mistake of two months in a fact of so late a date can hardly be excused as a failure in point of memory.

That ships might have been privately sent without a publick order, is evident, because that quantity of arms, which lord Bolingbroke says were still rotting in a magazine at Morlaix, were sent by the * to Scotland soon after his return to France, and a month before the date of his lordship's letter, and two other ships loaden with arms and stores were also sent from another port. And this was done at a time when the *'s affairs were desperate, and without the privacy and consent of the French court.

In short, lord Bolingbroke's defence on every particular of this head is weak and superficial. Several private merchants would have supplied the * with arms, if they had been applied

1715-16. " that I am persuaded, this daring presumption of our ene-
 " mies will heighten your just indignation against them,
 " and beget such further resolutions, as, with the blessing
 " of God, will enable me to defeat their attempts.

Gentlemen of the house of commons,

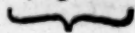
" The most effectual way to put a speedy end to these
 " troubles, will be to make such a provision as may dis-
 " courage any foreign power from assisting the rebels, I
 " do therefore hope, that every sincere protestant, and
 " true Briton, will look upon the extraordinary expence,
 " which a preparation may require, to be the best husban-
 " dry; since it will, in all human probability, prevent
 " that desolation, and those calamities, which would un-
 " avoid-

to by his lordship. Neither the * nor the duke of Mar affirm in their letters, that they must leave Scotland, though they had all the arms and ammunition of France. The eight thousand arms, &c. lying at Havre, would have been sent by a gentleman, who was zealous for the *'s success, if he had not been amused for several months, and diverted from applying for an order, by his lordship's saying, that he would obtain one: and the ten thousand arms, and the thirty thousand weight of powder, which he says would have been sent to Scotland, if they had staid a few days longer, were not procured by his lordship, but, by a gentleman, who was sent by the * from Scotland, and who, being convinced of his lordship's former neglects, applied for a supply of arms elsewhere, and upon his own credit obtained it.

About the same time the duke of Ormond procured fifteen thou-

sand arms with a proportionable quantity of ammunition without the privacy or assistance of the lord Bolingbroke.

Another remarkable circumstance of his lordship's conduct was, the variety of excuses he made to those gentlemen, who came express from Scotland, for not sending arms and ammunition. In September and October he said he was providing them. In November, that the sending them through the channel would endanger the *'s, passage: in December and January, that the court of France would neither grant arms nor ammunition; and his lordship had probably pretences in reserve for every month of the year. What reason then had his majesty to expect a supply of arms after so many repeated delays? And with what injustice does his lordship charge the * and the duke of Mar with precipitation in leaving Scotland, when the necessity they were in of coming away

“ avoidably ensue, if the rebellion should be suffered 1715-16.
 “ to spread, and be supported by popish forces from 
 “ abroad.

My lords and gentlemen,

“ The world must be convinced by all you have already
 “ done, that you have nothing but the honour and inter-
 “ est of your country at heart: and, for my own part, I
 “ rely intirely upon you, and doubt not but you will take
 “ such resolutions at this juncture, as will be most for the
 “ present safety, and future ease of my people.”

Both houses presented addresses to his majesty, full of expressions of duty and affection, and the most hearty assurances of their assistance against the daring presumption of the pretender and his adherents.

The

was intirely occasioned by his neglect?

His lordship answers the articles of amusing general Hamilton by calling it a simple lie. Whether his lordship represented the contents of his message, where it was proper, depends upon his own word. 'Tis probable, that the person hinted at by his lordship would not have scrupled to have the state of affairs in Scotland from the mouth of one, who was so fully instructed in it; and that such an interview would have been attended with a good effect. And it may reasonably be inferred, that his lordship was faulty in that case, because he did not communicate the *'s letters which that gentleman brought to the queen or the duke of Ormond, for several days after he had received them, though the * had commanded him to shew them to her majesty; and, before he

went to Scotland, had given his lordship positive instructions to act in concert with his grace, and to communicate every particular of his affairs to him.

His lordship endeavours to refute the charge of his being often denied to those, who came about business, with a groundless and malicious distinction; for he was seldom to be found by those who were sent by the duke of Mar to him, by officers of distinction, who daily pressed him to be dispatched to Scotland, and even by persons, whom he himself employed. And were it proper to mention names, particular instances might be given of his conduct in this point.

His lordship, in what he falsely calls a general state of things on this side the water, has represented the duke of Ormond in the blackest terms, that malice could devise, * as
 * an associate with a nest of hor-

* nets;

1715-16.

The im-
peached lords
plead guilty.

They are
condemned.
Feb. 9.

The impeached lords having on the 16th of January petitioned the house of peers for longer time to put in their answers to the articles of impeachment; they were allowed time till Thursday the 19th, upon which day all of them, except the earl of Wintoun (who upon his petition had till the 23d allowed him) were brought from the Tower to the bar of the house of peers, where they severally pleaded guilty to the articles of their impeachment, but urged some things, by way of answer, to extenuate their guilt. The earl of Derwentwater's answer was in writing, as were also the answers of the lord Widdrington, and the earl of Nithisdale. The answers of the earl of Carnwarth and the lord Kenmure were delivered *viva voce*; and the lord Nairn delivered in a petition to the lords in writing. Having thus pleaded guilty, the 9th of February was appointed for their receiving sentence. Upon which day they were all brought to the bar of the court erected in West-

'nets; as heading a faction
'composed of persons of the
'vilest characters, who are de-
'spised for their folly, and de-
'tested for their immorality';
and he qualifies this heavy charge
with a profession of a very par-
ticular respect for his grace, and
by saying, 'that his grace was
'drawn indirectly in to do the
'work of the faction here, and
'was far from designing any
'such thing.'

With what view this virulent
slander on his grace was fram-
ed, may be easily conjectured,
and to beat down his grace's re-
putation, if it were possible,
would be acknowledged by the
— as a considerable service to
him. His grace's character is
too well known in England to
stand in need of a justification,
and what lord Bolingbroke in-
tended as a reflection on the
duke of Ormond will be ac-
knowledged by every honest
man here, that his grace ob-

served at Paris a quite contra-
ry conduct from his lordship.
His grace, it is true, opened
his doors to every gentleman,
who came to wait upon him:
he thought it was for the *'s
service to receive those persons
with civility, who chearfully
offered to embark in it: that
those gentlemen who were rea-
dy to hazard their lives in the
same cause with his grace, ought
not to be treated with con-
tempt: and that his lordship's
conduct was imprudent and un-
seemly.

The sincerity of his lord-
ship's profession of respect for
the duke of Ormond will ap-
pear from his behaviour to his
grace here; and you are not a
stranger to the design, that was
formed by his lordship in July
1714, to set lord Churchill at
the head of the army. His
lordship laboured upon all occa-
sions to vilify his grace, and to
paint him in the foulest colours
to

Westminster-hall, and had sentence, as in case of high-treason, pronounced against them by the lord chancellor Cowper, lord high-steward on that occasion. 1715-16.

The commons having put the case of the rebel lords in a course of justice, they turned their thoughts to the rest of the Preston prisoners, who were brought up to London; and, to prevent the formality of sending them into Lancashire to be tried, they brought in a bill to remove those difficulties, which obstructed the course of justice; and, as this was only to be a temporary law, so the occasion was specified in the title, which was, 'An act for the more easy and speedy trial of such persons, as have levied war against his majesty during the present rebellion.'

About the same time Mr Lechmere moved for an address to the king, for a proclamation, offering a general pardon to such as were yet in arms in Scotland, who should lay

to his majesty. Upon his grace's first expedition into England, he endeavoured to persuade a gentleman, who had promised to accompany him, not to go; he told him, that the duke of Ormond would certainly be never heard of more; and that it was a rash and foolish enterprize he was going upon: and by the discovery of his grace's designs at that time, and his lordship's conduct since, it may be presumed he had good reasons to be assured, that the attempt would miscarry.

When the duke had returned from his second voyage to England, and waited on the coast of France for another opportunity, lord Bolingbroke wrote to him to come nearer Paris, and promised to meet his grace, in order to concert measures with him. His grace complied with the proposal, named a place at twelve leagues distance from Paris, and was

punctual to the time appointed. Lord Bolingbroke came about ten days after: instead of discoursing about business he drank to excess, and, early on the second day after his coming, he returned to Paris, without saying any thing to the purpose. Though his grace had great reason to resent this usage, he resolved at that juncture to submit to it, and complied with another proposal of his lordship's to come to Paris, because that he thought, when he was in the same place with his lordship, he could not easily find an opportunity to amuse him longer. His grace was for four days in Paris, before he had a visit from his lordship, though he sent repeated messages to him. At length he came, when dinner was on the table. Before dinner was half done, he rose up hastily, and pretended urgent business to call him away. For some days after his grace could not possibly find him out.

Can

1715-16. lay them down within a certain time, with such restrictions and limitations as the king should think fit. This motion was strongly opposed by Mr Pulteney, the lord Conningby, and some others, who represented the ill effects, which such a proclamation might have both at home and abroad, in the present juncture of affairs. What had most weight, in this debate, was urged by Mr Walpole, who contented himself with saying, he would not inquire into the reasons of this motion, but he had been offered sixty thousand pounds for the life of one single person. This gave Mr Lechmere an occasion to vindicate his integrity and honest intentions; but finding, what he had proposed was not thought consistent with the king's and the nation's service, he did not insist upon it. The next day, major Stuart, aid-de camp to the duke of Argyle, and captain Morton, aid-de-camp to general Cadogan, arrived at St James's, with advice that the rebels had abandoned

Can it be imagined, that such insolent treatment of his grace could proceed from any person who had not a quite different interest in view? And, as the * had a just sense of his lordship's behaviour to the duke of Ormond, it was a stronger motive to induce his majesty to remove him.

I am not surpris'd at the lord Bolingbroke's appealing to the duke of Berwick, and that he is willing to stand or fall by his judgment; for I believe that duke will for the same reasons appeal to his lordship to clear himself. No part of his behaviour is more wonderful than his sudden intimacy with the duke of Berwick. He formerly mentioned on all occasions, that duke with disregard, and would neither allow him capacity for business, nor credit. But, soon after his grace had disobeyed his sovereign's commands to go to Scot-

land, there became a close union betwixt them, which still continues, though the * had commanded his lordship not to communicate any part of his business to him. And it may be observed, that his lordship did not reside at St Germain's, where he owns that he held the closest friendship, till two months after his grace's refusal to go to Scotland. If his grace had a hundred times more capacity and credit than the rest of the *'s subjects in France, he has lost some part of his credit by his undutiful behaviour to his royal master; and a person who refuses to serve in his province at a time when his service is required and wanted, may be reputed 'not to be of that court,' as his lordship observes, though he has lodgings in it; and he should have added, that he had at that time a considerable pension from it. I am persuaded, his associating, as he

doned Perth, and were flying before the king's forces: and therefore the publishing a proclamation for a general pardon, at such a juncture, would have shewed a weakness in the government, and encouraged foreign powers to support the rebels. About this time the pretender sent a letter to the lord-mayor of London, with orders to proclaim him king of Great-Britain; which was communicated to the secretary of State.

Mr Baron Bury, Mr Justice Eyre, and Mr baron Montague, having been appointed to try the rebels at Liverpool, there was a considerable number found guilty; and Richard Shuttleworth of Preston, a papist; Roger Moncaster of Garstang, an attorney; Thomas Cowpe, William Butler, and William Ackworth, were executed at Preston, on the 28th of January; and John Rowbotham, James Blundel, James Burne, James Finch, William Whalley,

he calls it, with the duke of Berwick owes its original to another cause, than the opinion he had of his grace's capacity; and that his grace was the channel of correspondence betwixt his lordship and a certain lord in England. For though his lordship denies his having any correspondence with him, or any of the court of England, there are good reasons to suspect him of it, as the old intimacy between them; his lordship's leaving England upon his advice; and the visit he paid him the evening before he left London; not to mention the sneaking letter he sent from France to Mr Stanhope: and even his lordship qualifies the denial of such a correspondence, by saying, that he held none since he engaged in the *'s business, which, by the way, was three months after his coming to France.

This correspondence with a person, who had upon several

occasions betrayed the church of England, and sacrificed his own country to a foreign prince, is a pregnant instance of his lordship's resolution to serve the * upon a protestant and English bottom, or not to serve at all.

His lordship's assertion, 'That the source of all business, and the heads of his best friends, were trusted to the keeping of a multitude of people, some of whom were of the vilest characters,' is as groundless as his other calumnies; and it may be easily guessed, for what end this slander was invented. And, though his lordship is pleased to charge others with want of secrecy, I can assure you, that in the midst of his wine he discovered secrets of the greatest importance to some of the very persons, whom he now represents in such black characters, and that they expressed a concern at his imprudence.

I am

1715-16. Whalley, and John Mac Gillivray, were executed at Wigan on the 10th of February; Richard Charley, esq; James Drummond, William Black, Donald Macdonald, Rorie Kennedy, and John Ord, executed at Preston on the 9th of February; and Thomas Sydal, William Harris, Stephen Seager, Joseph Porter, and John Finch, executed at Manchester on the 11th of February.

About one thousand of the rebel prisoners at Lancaster, Liverpool, and Chester, submitted to the king's mercy, and petitioned for transportation.

Sollicitations
in behalf of
the condem-
ned lords.

In the mean time, great solicitations were made with the court and with the members of both houses of Parliament, in behalf of the six condemned lords, particularly in favour of the earl of Derwentwater. On the 13th of February, the countess of Nithisdale and the lord Nairn's lady, watching an opportunity, when the king went through the apartments of the palace at St James's, behind a window-curtain, without being presented by the lord of the

I am confident, his lordship's design to cut off all correspondence with the *s subjects at home will fail of success, when they consider they are in less danger by his removal; and that his majesty has been pleased to chuse one in his stead, who is not only incapable of betraying a trust, while it subsists, as his lordship speaks, but an inviolable observer of a trust for ever, and of tried prudence and secrecy in business.

His lordship, to heighten the charge on the conduct of business, is here pleased to add, that it passes through the hands of a whole tribe of jesuits, though his lordship cannot be ignorant, that no person of that order was ever employed in business by the * or queen.

His lordship's insinuation, of the riveted prejudices of one person, has the same malicious view; and though his lordship af-

firms, that, from the very first, he began to combat them with great decency and firmness, it is certain he never spoke of his having such a design, till a few days before the * had fixed his departure for Britain. And it must be owned, that several worthy men, who were then at Paris, thought it an improper time to press his majesty on that head, when he had not leisure to inquire into it; and that his lordship was not the most proper person to talk of religion.

Another slander in his lordship's letter, is, that he was 'discarded with all the circumstances of provocation possible, and treated, as far as it lay in the power of those, whom he served, with an affectation of indignation and contempt;' for the * dismissed him by a letter, without assigning any reason for his pleasure, and commanded the duke of

the bed-chamber in waiting, as usual, on a sudden threw themselves at the king's feet, begging mercy for their husbands. This abrupt and irregular application could not but surprize the king, and those about him, and therefore proved as ineffectual as those, which had been made in a more becoming and artful manner. For a few days after, a resolution was taken in council, to cause the sentence passed on these lords to be executed; for which purpose the necessary warrants and orders were, on the 18th of February, sent, both to the lieutenant of the Tower, and to the sheriffs of the city of London and Middlesex. The next morning the countess of Derwentwater, attended by her sister, and accompanied by the duchesses of Cleveland and Bolton, and several other ladies of the first rank, was by the dukes of Richmond and St Albans introduced

Warrants for
their execution.

of Ormond to carry it. His majesty, in tenderness to his lordship, of whom he had once a good opinion, took this course; and, besides, he thought it below his royal dignity to descend to a paper quarrel. And if his lordship had followed the advice that was given him, to lie quiet, his character would not so soon have been exposed in its true light.

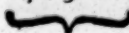
I could give many other instances of his lordship's neglect of the *'s business, at a time, when he had the sole management of it; and to name but one: his lordship for ten days neglected to send the duke of Mar's new commission to command in Scotland, which was so much wanted, upon an idle pretence of sending a long and trifling memorial in cyphers along with it.

His lordship's behaviour to his equals and inferiors was not only contemptuous, but his treatment of the queen was insolent to the last degree. To insult majesty in distress aggravates the

crime; and such a carriage to the *'s mother is an evident proof of want of duty to his majesty. And though his lordship's friends industriously reported, that he was dismissed by her advice, and from thence drew malicious inferences; you may be assured, that it was the concurrent opinion of the duke of Ormond, and all the *'s friends here, to displace him, and that her majesty had no hand in his removal.

What the principles were, his lordship says, he brought out of England with him, I don't know, having never had reason to believe, that he gave himself much trouble about any. That they were not the principles of the tories, is plain, from his representation of that party to the French court, and his expressions in conversation, that he never expected much good from the tories.

His lordship concludes, that there are abundance of things more, that he could say to clear himself, but, by the scurrility of

1715-16.  duced into the king's bed-chamber, where she humbly implored his clemency for her unfortunate consort; and then withdrew.

It is very probable, the countess of Derwentwater received no favourable answer from the court; for, on the 21st of February, she, with the ladies of some other condemned lords, and about twenty more of distinction, went to the lobby of the house of peers to beg their intercession: but the lords did not then think fit to take notice of their petitions. The next morning, the ladies in distress, with a still greater attendance than the day before, went to Westminster to petition both houses of parliament, where, by this time, not a few members appeared inclined to mercy. Sir Richard Steele, among the rest, offered one of these petitions, and made a long speech upon that subject, and was seconded by Mr Farrar, Mr Shippen, and some others; but they were opposed by all the leading members of the prevailing side; and, though a great many who used to vote with them, went over on this occasion to the other party, yet a motion being made, and the question put for adjourning to the 1st of March, the adjournment was carried by a majority of seven voices only, a hundred and sixty-two, to a hundred and fifty-five.

The ladies of the condemned lords were more successful with the peers than with the commons. The duke of Richmond, a near relation of the earl of Derwentwater, and one of the lords allowed by the house to assist him, could

of his letters, it may be presumed, that he has omitted nothing, in tenderness to any person whatsoever. And the reason given for saying no more, that those on this side, who first began the storm, are sensible of their folly, is notoriously false. And, as his actions are better understood here, than they possibly can be on your side, every honest man in France is thoroughly convinced of his ill conduct, and that his majesty had just and wise reasons to remove him.

This letter has swelled to a greater bulk than at first I ima-

gined. Upon the whole, I leave you to judge, whether the *, the dukes of Ormond and Mar, or his lordship, deserve most to be credited. And, if so many instances of his mismanagements have been proved, it may be concluded, they would appear more clearly, if it were seasonable to speak plain upon several of them. I have avoided all unnecessary bitterness of expression against his lordship, and the least imputation of flattery to others; and I shall embrace every opportunity of shewing you, that I am, &c.

not:

1715-16.

not refuse presenting a petition in his favour, but at the same time he declared he would be against it. The earl of Derby, out of pity for the numerous family of the lord Nairn, charged himself with a petition in his behalf, as other lords did, upon the like or different motives, with other petitions. The question being put, Whether these petitions should be received and read, there arose a great debate, in which the lord Townshend, and several other lords, who upon all occasions had given undoubted proofs of their affection to the present settlement, were against it, but, the earl of Nottingham, to their great surprize, declaring for it, his weight, as president of the council, drew to that side several peers; so the question was carried by nine or ten voices. After the reading of the petitions, the next question was, Whether, in the case of an impeachment, the king has any power to reprieve? This being also carried in the affirmative, the same was followed by a motion for an address, to desire the king to grant a reprieve to the lords, who lay under sentence of death. This was opposed by the firmest friends of the government; and even an earl, who was for the two first questions, represented, 'That though clemency was one of the brightest virtues, that adorn and support a crown; yet, in his opinion, the same should be exercised with discretion, and only on proper objects:' and therefore moved, 'That they should address the king to reprieve such of the condemned lords as should deserve his mercy.' This, after some further debate, was carried. Then the earl of Stamford moved, That the time of respite be left to the king, which was readily agreed to; and then the address with these amendments was carried by a majority of five voices only. To this address the king answered, 'That on this, and all other occasions, he would do what he thought most consistent with the dignity of his crown, and the safety of his people.'

This wise and resolute answer proved, the next day, a great mortification to the jacobite and discontented party, who were extremely elated by the inclinations to mercy, which appeared in both houses, and which occasioned various reflections. Whatever was the secret spring of these inclinations, it is certain, that in the council, held the same evening, about the execution of the condemned lords, there was a contest between the earl of Nottingham and some other lords, and four days after, that earl was removed from being president of the council, the earl of Aylesford, his brother, from being chancellor of the duchy of Lancaster; the lord Finch, son to the earl of Nottingham, from being

The earls of Nottingham and Aylesford removed.

1715-16. one of the lords of the treasury; and the lord Guernsey, his cousin-german, from being master of the jewel-office. This change, however sudden, was not unforeseen by men of observation; and it justified Mr Hampden's reflection, not many days before, in the house of commons, on a motley or mixed ministry.

Three lords
ordered to be
executed,
and three
reprieved,
Feb. 23.

Derwentwa-
ter and Ken-
mure exe-
cuted,
Feb. 24.

Pursuant to the resolution taken in the council, orders were dispatched for executing the next morning the earls of Derwentwater and Nithisdale, and the lord Kenmure; and for respiting the lord Widdrington, the earl of Carnwarth, and the lord Nairn, till the 7th of March. The same evening the earl of Nithisdale found means to make his escape out of the Tower in a woman's apparel brought to him by his mother, who came to visit with some relations. The next morning early, three detachments of the guards took their several posts round the scaffold erected on Tower-hill, and, a little before ten o'clock, the earl of Derwentwater and the lord Kenmure were carried in a hackney coach from the Tower to the Transport-office, on Tower-hill, where there was a room hung with black for their reception. From this room to the scaffold (which was all covered with black) there was a passage or gallery railed in. The earl of Derwentwater was first led to the scaffold; and it was observed, that in his going thither, and ascending the steps, his countenance turned very pale. But, after he had been a few minutes on the scaffold, his behaviour appeared resolute and sedate. Having spent some time in prayer with a book, he then addressed himself to the sheriff, and desired, he might have liberty to read a paper which he had drawn up. This request being readily granted, he went to the rails of the scaffold and read what follows.

‘ Being in a few minutes to appear before the tribunal
‘ of God, where, though most unworthy, I hope to find
‘ mercy, which I have not found from men now in power;
‘ I have endeavoured to make my peace with his divine
‘ majesty, by most humbly begging pardon for all the
‘ sins of my life: and I doubt not of a merciful forgive-
‘ ness, through the merits of the passion and death of my
‘ Saviour Jesus Christ; for which end I earnestly desire
‘ the prayers of all good christians.

‘ After this I am to ask pardon of those, whom I might
‘ have scandalized by pleading guilty at my trial. Such,
‘ as were permitted to come to me, told me, that, hav-
‘ ing been undeniably in arms, pleading guilty was but
‘ the consequence of having submitted to mercy; and many
‘ arguments

‘ arguments were used to prove there was nothing of 1715-16.
 ‘ moment in so doing; among others, the universal prac-
 ‘ tice of signing leases, whereof the preambles run in the
 ‘ name of the person in possession.

‘ But I am sensible, that in this I have made bold with
 ‘ loyalty, having never any other but king James the third
 ‘ for my rightful and lawful sovereign. Him I had
 ‘ an inclination to serve from my infancy, and was mov-
 ‘ ed thereto by a natural love I had to his person, know-
 ‘ ing him to be capable of making his people happy. And,
 ‘ though he had been of a different religion from mine,
 ‘ I should have done for him all that lay in my power,
 ‘ as my ancestors have done for his predecessors, being
 ‘ thereunto bound by the laws of God and man.

‘ Wherefore, if in this affair I have acted rashly, it
 ‘ ought not to affect the innocent. I intended to wrong
 ‘ no body, but to serve my king and country, and that
 ‘ without self-interest; hoping, by the example I gave, to
 ‘ have induced others to their duty; and God, who sees
 ‘ the secrets of my heart, knows I speak truth. Some
 ‘ means have been proposed to me for saving my life,
 ‘ which I looked upon as inconsistent with honour and
 ‘ conscience, and therefore I rejected them; for, with
 ‘ God’s assistance, I shall prefer any death to the doing a
 ‘ base unworthy action. I only wish now, that the lay-
 ‘ ing down my life might contribute to the service of my
 ‘ king and country, and the re-establishment of the anti-
 ‘ ent and fundamental constitution of these kingdoms;
 ‘ without which no lasting peace or true happiness can at-
 ‘ tend them. Then I should indeed part with my life,
 ‘ even with pleasure. As it is, I can only pray, that these
 ‘ blessings may be bestowed upon my dear country; and,
 ‘ since I can do no more, I beseech God to accept of my
 ‘ life as a small sacrifice towards it.

‘ I die a Roman catholick. I am in perfect charity with
 ‘ all the world, I thank God for it, even with those of
 ‘ the present government, who are most instrumental in
 ‘ my death. I freely forgive such, as ungenerously report-
 ‘ ed false things of me; and I hope to be forgiven the tref-
 ‘ passes of my youth, by the Father of infinite mercy, into
 ‘ whose hands I commend my soul.

JA. DERWENTWATER.

P. S. ‘ If that prince, who now governs, had given me
 ‘ my life, I should have thought myself obliged never
 ‘ more to have taken up arms against him.’

M m 2

After

1715-16.

After the reading of this paper, he delivered it to the sheriff, telling him, he might do with it as he pleased; and that he had given a copy of it to a friend. Then turning to the block, he viewed it close, and finding in it a rough place, that might offend his neck, he bid the executioner chip it off; which uncommon presence of mind was observed with admiration by some of the standers by. Having prepared himself for the blow, by taking off his coat and waistcoat, he lay down to fit his head to the block, telling the executioner, that the sign he should give him was, 'Lord Jesus receive my soul;' and, at the third time repeating it, he was to do his office; which he did at one blow. It was reported, that, the night before, the earl of Derwentwater having sent for Mr Stephen Roome, an undertaker for funerals, and discoursing with him about his own, he told him, he would have a silver plate on his coffin, with an inscription importing, 'That he died a sacrifice for his lawful sovereign;' but, Mr Roome scrupling to comply with it, he was dismissed. This was the reason, no hearse was provided for him at his execution; so that his head was only taken up by one of his servants, and put into a clean handkerchief, and, the body being wrapped up in black cloth, they were both together carried to the tower.

Soon after the lord Kenmure was brought to the scaffold in the same manner, accompanied by his son, and some friends, and attended by two clergymen of the church of England. He shewed a great resolution and firmness in his gait and countenance, though some nice observers pretended, he was not so calm within as the earl of Derwentwater; which however was contradicted by others. On the scaffold he said, 'He had so little thoughts of dying so soon, that he had not provided a black suit, that he might have died with the more decency; for which he was sorry.' He appeared very sincere and fervent in his devotions, often lifting up his hands and eyes to heaven; but (contrary to what he had declared in his speech to the lords, when judgment was pronounced against him) he prayed for the pretender, and repented of his having pleaded guilty. He embraced and kissed very tenderly most of the officers and gentlemen on the scaffold, and his son and some friends twice or thrice. He had with him Mr Roome the undertaker, who was to take care of his body, and a surgeon, who was to direct the executioner in doing his office. Having prepared for the block, he laid down his head upon it, then raised it up again, still continuing on his knees; gave the executioner some money, and told him, 'He should give him no sign, but, when he laid his head down again, he might do

‘do his work as he saw good.’ Then, having lifted up his hands in prayer a short time longer, he laid down his head again, which the executioner severed at two blows. Both the head and body were put into a coffin, and conveyed in a hearse to Mr Roome’s, where they were imbalmed, in order to be sent into Scotland, and buried with his ancestors. He neither made nor delivered any speech on the scaffold; but in a letter found after his execution, which he wrote to the pretender (by the stile of king James) he declared, ‘That he died for his faithful services to his majesty, but hoped, the cause he died for would thrive and flourish after his death; and, as he suffered for his service, he hoped his majesty would provide for his wife and children, who were in a miserable condition.’

On the 15th of March, the earl of Wintoun’s trial came on. The long trouble and delay, he had occasioned by petitions for time, upon the pretence of witnesses being on the road, made people expect, that a considerable defence could be made, and something very particular be urged in his behalf, either by himself or his council; but they were surprized, that when he came to the bar, and the managers of the house of commons had spent two days in opening and enforcing the articles against him, and replying to what was offered, his answers were so weak, and what his council had to offer so trifling, that it could not be called a defence. This gave some confirmation to what had been suggested, that he was a lunatick. However, the lords were unanimous in their judgment, and brought him in guilty; and, on the 19th of March, judgment was pronounced against him by the lord-chancellor Cowper, lord high-steward upon this occasion.

The earl of
Wintoun
condemned.

Two days after, the king having received advice of the pretender’s flight out of Scotland, came to the house of peers, and, giving his assent to the land-tax bill (h), made the following speech to both houses of parliament.

(h) This bill had like to have raised a dispute between the two houses. The bill being sent up to the lords, a debate arose about the preamble, which was in these words:

‘We your majesty’s most dutiful and loyal subjects, the commons of Great-Britain, in parliament assembled, having hearts filled with the utmost gratitude to your majesty, for the tender concern your ma-

‘jesty, on all occasions, expresses for the extraordinary burden this unnatural rebellion makes necessary to be laid on your faithful subjects, for preserving all their rights, both sacred and civil, and for your majesty’s unprecedented goodness in giving up all such estates for the use of the publick, and in case of your people, as shall be forfeited by this rebellion; the raising, or
‘the

1715-16.

My lords and gentlemen,

“ I TAKE this opportunity of acquainting you, that my
 “ forces have obliged the pretender to fly out of Scotland,
 “ and he is since, as I am informed, landed near Gravelin.
 “ But I do not yet know, whether any country in amity
 “ with

‘ the dreadful consequences
 ‘ whereof, cannot, by the most
 ‘ implacable of your majesty’s
 ‘ enemies, be ascribed to any
 ‘ one act done by your majesty,
 ‘ since your happy accession
 ‘ to the throne of your ancestors;
 ‘ but even they will allow, that all the mischiefs,
 ‘ burdens, and calamities, which
 ‘ shall attend this horrid rebellion, are, in truth, owing to
 ‘ the fatal and pernicious counsels given by some persons in
 ‘ the late male-administration, when, under pretence of procuring peace abroad, the present destructive war was projected to be brought into the
 ‘ very bowels of our native country at home, when a popish army (part of which God
 ‘ has delivered into your majesty’s hands) was designed to be
 ‘ the protector of our holy religion; and when, under the
 ‘ false colour of paying the publick debts, though their true
 ‘ design was to deliver us
 ‘ bound into the power of the
 ‘ antient enemy of these kingdoms, the same evil counsellors contrived unnecessarily
 ‘ to incumber, for a long time
 ‘ to come (if not for ever) several considerable branches of
 ‘ the publick revenues, which,
 ‘ for many years past, had,
 ‘ from time to time, been useful to support the publick expence; which revenues, in
 ‘ former administrations, had
 ‘ been carefully reserved for

‘ that purpose, to the end that,
 ‘ upon the conclusion of an happy peace, which we had then
 ‘ reason to expect, the subjects
 ‘ of these realms might have
 ‘ reaped the fruit of a successful, though expensive war.
 ‘ And we, your majesty’s said
 ‘ dutiful and loyal subjects, being fully resolved to maintain
 ‘ your majesty’s just title to the
 ‘ imperial crown of these realms, against all enemies and
 ‘ traitors whatsoever; and, for
 ‘ that end, purposed to raise
 ‘ such supplies, as are necessary
 ‘ to defray your majesty’s publick expences, have chearfully
 ‘ and unanimously given and
 ‘ granted, &c.’

Some lords being offended at this preamble, the earl of Abingdon moved, that all the peers in town might be summoned to attend the committee; which was done accordingly. And, on Monday, the 13th of February, the lord Harcourt went early to the house of peers, and caused the journals to be diligently searched for precedents of amendments, made by the lords, to a money-bill. But few, if any, could be found, at least, since the restoration; from which time the commons would never suffer the lords to make any amendments to bills of that nature. When the grand committee was sat, several lords spoke against the preamble in question, as ‘pre-judging matters of a very high and important

“ with us will give him protection, after having so publick- 1715-16.
 “ ly invaded our kingdom. }

“ The dangers, to which the nation was exposed, made
 “ me determine, that neither the extraordinary rigour of
 “ the season, nor any fallacious proposal of the rebels,
 “ should divert me from using all possible endeavours towards
 “ putting a speedy and effectual end to this unnatural rebel-
 “ lion.

Gentlemen of the house of commons,

“ I must return you my thanks for the great progress
 “ you have made in the supplies. The necessary disposi-
 “ tions are made for raising additional forces. But, as I
 “ shall always consult the ease of my people, as far as is
 “ consistent with their own security, I shall not make use
 “ of the confidence you have placed in me, unless the rest-
 “ less malice of our enemies should make it necessary to go
 “ on with those levies.

My lords and gentlemen,

“ I promise myself, from the zeal and wisdom of this
 “ parliament, that the future happiness and tranquillity of
 “ my subjects will be established on a solid foundation;
 “ and such measures taken, as may deprive our enemies
 “ at home of the power (since that alone can deprive them of
 “ the inclination) again to attempt the disturbance of my
 “ government. This therefore is what I think myself obli-
 “ ged to recommend to you, as a deliberation of the utmost
 “ importance to the future safety, ease, and prosperity of
 “ my people.”

From this time to the 9th of April (when the septennial
 bill was brought in) little else was done in both houses, but
 presenting such bills as were ready, and voting for the supplies.

‘ portant nature, the cogni-
 ‘ zance and determination of
 ‘ which properly belongs to the
 ‘ house of peers.’

Upon this, an expedient was
 proposed and admitted, that they
 should enter in their journal a
 kind of protest or declaration,
 importing in substance ‘ That
 ‘ though the preamble was de-
 ‘ rogatory to the privileges and
 ‘ authority of the house of
 ‘ lords; yet their lordships, in
 ‘ consideration of the king’s and
 ‘ nation’s service, in this dan-

‘ gerous conjuncture, were wil-
 ‘ ling to give their concurrence
 ‘ to the bill, without amend-
 ‘ ments; but that the same
 ‘ should not be drawn into a
 ‘ precedent for the time to come,
 ‘ or construed to be any di-
 ‘ minution of the judicial au-
 ‘ thority of the house of lords.’
 The lord chancellor Cowper
 and the lord Harcourt were ap-
 pointed by the lords to draw up
 the protest or declaration, which
 was entered in the journal of
 the house.

In

1716.

Trial of the
rebels.Forster
makes his
escape.

In the mean time the new commission for trying the rebels met on the 7th of April, the first time at the court of common-pleas. Sir William Thompson recorder of London, opened the meeting with a speech to the grand-jury, by whom bills of high-treason were found against Forster, brigadier Mackintosh, and twenty others (i.)

It was on the 14th of April that Forster was to have been arraigned, in order to his trial; but on the 10th, about midnight, he made his escape out of Newgate, with one servant only. The manner was variously reported; and Mr Pitts, the keeper of Newgate, was not only committed for it, but was afterwards indicted for high-treason, as being wilfully guilty of the escape, and tried for his life at the Old-Baily; but was acquitted. There was a proclamation immediately published, offering a reward of a thousand pounds for the apprehending Mr Forster; but it appeared afterwards, that his escape was so concerted, and all other things prepared, that, as soon as he got out, he had horses ready; and riding directly to Lee, near Rochford in Essex, he had a vessel laid ready also, which took him on board, and landed him in France the very same day.

However the court sat according to its adjournment, and, Mr Forster being absent, Mr Mackintosh, Mr Gascoigne, Mr Charles Wogan, and others, being arraigned, pleaded not guilty; and, upon a motion for time, had three weeks given them to prepare for their trials; which favour, on the contrary, some of them made use of to prepare, not for their trial, but for their escape.

(i) William Shaftoe,
Robert Talbot,
Henry Oxburgh,
Charles Wogan,
Thomas Hall,
Richard Gascoigne,
Alex. Menzies.
James Menzies,
John Robertson,
James Hugh,



— Miller,
John Farquarson,
— Farquarson,
Thomas Douglass,
— Farquarson,
— Douglass
— Scrimshaw,
— Maclean,
— Skeen,
— Innis.

